



City of Covina/Successor Agency to the
Covina Redevelopment Agency/
Covina Public Finance Authority/
Covina Housing Authority

Mayor Kevin Stapleton – Mayor Pro Tem Walt Allen, III
Council Members Peggy Delach – John King – Bob Low

REGULAR MEETING AGENDA

125 E. College Street, Covina, California

Council Chamber of City Hall

Tuesday, November 20, 2012

6:30 p.m.

- As a courtesy to Council/Agency/Authority Members, staff and attendees, everyone is asked to silence all pagers, cellular telephones and any other communication devices.
- Any member of the public may address the Council/Agency/Authority during both the public comment period and on any scheduled item on the agenda. Comments are limited to a maximum of five minutes per speaker unless, for good cause, the Mayor/Chairperson amends the time limit. Anyone wishing to speak is requested to submit a yellow Speaker Request Card to the City Clerk; cards are located near the agendas or at the City Clerk's desk.
- Please provide 10 copies of any information intended for use at the Council/Agency/Authority meeting to the City Clerk prior to the meeting.
- **MEETING ASSISTANCE INFORMATION:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (626) 384-5430. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.
- **DOCUMENT AVAILABILITY:** Any writings or documents provided to a majority of the Council/Agency/Authority regarding any item on this agenda will be made available for public inspection at the City Clerk's Office counter at City Hall located at 125 E. College Street and the reference desk at the Covina Library located at 234 North Second Avenue during normal business hours. In addition, such writings and documents are available in the City Clerk's Office and posted on the City's website at www.covinaca.gov.
- Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Covina Housing Authority unless listed on agenda, which has been posted not less than 72 hours prior to meeting.
- If you challenge in court any discussion or action taken concerning an item on this Agenda, you may be limited to raising only those issues you or someone else raised during the meeting or in written correspondence delivered to the City at or prior to the City's consideration of the item at the meeting.
- The Sr. Deputy City Clerk of the Covina City Council hereby declares that the agenda for the **November 20, 2012** meeting was posted on **November 15, 2012** near the front entrance of the City Hall, 125 East College Street, Covina, in accordance with Section 54954.2(a) of the California Government Code.

November 20, 2012

**CITY COUNCIL/SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY/
COVINA PUBLIC FINANCE AUTHORITY/COVINA HOUSING AUTHORITY
JOINT MEETING—CLOSED SESSION
6:30 p.m.**

CALL TO ORDER

ROLL CALL

Council/Agency/Authority Members Delach, King, Low, Mayor Pro Tem/Vice Chairperson Allen and Mayor/Chairperson Stapleton

PUBLIC COMMENTS

The Public is invited to make comment on Closed Session items only at this time. To address the Council/Agency/Authority please complete a yellow speaker request card located at the entrance and give it to the City Clerk. Your name will be called when it is your turn to speak. Individual speakers are limited to five minutes each.

The City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority will adjourn to Closed Session for the following:

CLOSED SESSION

- A. G.C. §54957.6 – CONFERENCE WITH LABOR NEGOTIATOR
Agency representative: Marco A. Martinez, City Attorney
Unrepresented Employee Title: City Manager

- B. G.C. §54956.9(a) – CONFERENCE WITH LEGAL COUNCIL – Existing Litigation
Name of case:Nadine Fukui, et. al v. City of Covina, et. al – Case No. BC4860673

- C. G.C. §54956.9(a) – CONFERENCE WITH LEGAL COUNCIL – Existing Litigation
Name of case: Minakshi Tripathi, an individual; and Alok Mani Tripathi, an individual
v. City of Covina – Case No. KC046573

RECESS

**CITY COUNCIL/SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY/
COVINA PUBLIC FINANCE AUTHORITY/COVINA HOUSING AUTHORITY
JOINT MEETING—OPEN SESSION
7:30 p.m.**

RECONVENE/CALL TO ORDER

ROLL CALL

Council/Agency/Authority Members Delach, King, Low, Mayor Pro Tem/Vice Chairperson Allen and Mayor/Chairperson Stapleton

PLEDGE OF ALLEGIANCE

Led by Mayor Pro Tem Allen

INVOCATION

Led by Covina Police Chaplain David Truax

PRESENTATIONS

Recognition – Andrew Becerril of Eagle Scout Troop 448

PUBLIC COMMENTS

To address the Council/Agency/Authority please complete a yellow speaker request card located at the entrance and give it to the City Clerk/Agency/Authority Secretary. Your name will be called when it is your turn to speak. Those wishing to speak on a LISTED AGENDA ITEM will be heard when that item is addressed. Those wishing to speak on an item NOT ON THE AGENDA will be heard at this time. State Law prohibits the Council/Agency/Authority Members from taking action on any item not on the agenda. Individual speakers are limited to five minutes each.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Council/Agency/Authority Members wishing to make any announcements of public interest or to request that specific items be added to future City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority Agendas may do so at this time.

CITY MANAGER COMMENTS

CONSENT CALENDAR

All matters listed under consent calendar are considered routine, and will be enacted by one motion. There will be no separate discussion on these items prior to the time the Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority votes on them, unless a member of the Council/Agency/Authority requests a specific item be removed from the consent calendar for discussion.

- CC 1.** City Council to approve the minutes from the November 6, 2012 regular meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority.

- CC 2. City Council to consider granting approval to the Covina Chapter Daughters of the American Revolution and the Covina Valley Historical Society to replace the existing World War I plaque with one that includes the soldier's names from Covina.
- CC 3. City Council to adopt **Resolution No. 12-7120**, to amend the fiscal year 2012-2013 Parks and Recreation Department's operating budget for the reimbursement of the Sports Center (Gymnasium) grant project funds to Los Angeles County.
- CC 4. City Council to adopt **Resolution No. 12-7121**, to approve an amendment to the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force Joint Powers Agreement (LA IMPACT JPA); and authorize the City Manager to execute said agreement.
- CC 5. City Council to adopt **Resolution No. 12-7123**, to approve the carryover of continuing appropriations from fiscal year 2011-2012 to fiscal year 2012-2013.
- CC 6. City Council to adopt **Resolution No. 12-7124**, to approve up to \$3,000 of City contingency funds for installation and storage of holiday banners to be placed throughout the City.
- CC 7. City Council to receive and file the Public Works Department monthly activity report.
- CC 8. City Council to approve payment of demands in the amount of \$5,349,595.80.
- CC 9. Successor Agency to the Covina Redevelopment Agency to approve the payment of demands in the amount of \$132,375.10.
- CC 10. City Council to receive and file the 2nd Quarter 2012 Sales Tax Report.
- CC 11. City Council to approve an amended and restated employment agreement for city manager services.

PUBLIC HEARING

- PH 1. City Council to hold public hearing, consider public testimony and consider adopting a Resolution to establish rental housing, inspection and regulatory fees pursuant to Ordinance No. 10-1980.

Staff Recommendation:

- 1) City Council to open the hearing and consider public testimony; and
- 2) City Council to adopt **Resolution No. 12-7119**, to establish a rental housing, inspection and regulatory fees pursuant to Ordinance No. 10-1980.

CONTINUED BUSINESS

- CB 1. City Council to hold second reading of an Ordinance to amend Title 5 of the Municipal Code, Business Licenses and Regulations by adding Chapter 5.06 pertaining to rental housing permitting and inspection and schedule second reading of said Ordinance.

Staff Recommendation:

- 1) That the City Council hold second reading of **Ordinance No. 10-1980**, amending Title 5, Business Licenses and Regulations, by adding Chapter 5.06 pertaining to rental housing permitting and inspection; and

NEW BUSINESS

- NB 1.** City Council to consider issuance of request for proposal for City Attorney services and appointment of Council sub-committee.

Staff Recommendation:

- 1) City Council to consider issuance of request for proposal for City Attorney services and appointment of a Council ad-hoc committee.

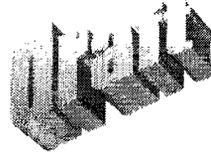
- NB 2.** City Council to introduce and hold first reading of an Ordinance to amend Chapter 8.20 of Title 8 of the Covina Municipal Code pertaining to alarm registration, a regulatory scheme for administering and managing the city's response to alarms, fees, fines and appeal process, and providing other matters properly relating thereto.

Staff Recommendation:

- 1) City Council to waiver further reading, read by title only and introduce **Ordinance No. 12-2014**, amending Chapter 8.20 of Title 8 of the Covina Municipal Code regarding alarms to reflect changes to the administration of the City's Alarm Program.

ADJOURNMENT

The Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority will adjourn to its next regular meeting, **Tuesday, December 4, 2012** at 6:30 p.m. for closed session and at 7:30 p.m. for open session in the Council Chamber located inside of City Hall, 125 East College Street, Covina, California, 91723.



MINUTES OF NOVEMBER 6, 2012 REGULAR MEETING OF THE COVINA CITY COUNCIL/SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT AGENCY /COVINA PUBLIC FINANCE AUTHORITY/COVINA HOUSING AUTHORITY HELD IN THE COUNCIL CHAMBER OF CITY HALL, 125 EAST COLLEGE STREET, COVINA, CALIFORNIA

CALL TO ORDER

Mayor Stapleton called the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority meeting to order at 6:34 p.m. City Attorney Marco Martinez announced the closed session items listed on the regular meeting agenda. There was no public comment.

ROLL CALL

Council Members Present: ALLEN, DELACH, KING, LOW, STAPLETON

Council Members Absent: NONE

Elected Members Present: MANNING

Staff Members Present: City Manager, City Attorney, Police Chief, Human Resources Director, Finance Director, Library/Parks and Recreation Director, Interim Director of Public Works, Police Captain, Deputy Fire Chief, Police Lieutenant, Assistant Director of Public Works, Assistant to the City Manager, Risk Manager, Sr. Human Resources Director, Senior Planner, Community Relations Supervisor, Executive Assistant, Environmental Services Manager, Administrative Technician and Sr. Deputy City Clerk

AGENDA POSTING DECLARATION

The Sr. Deputy City Clerk of the City of Covina hereby declared that the agenda for the November 6, 2012 City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority meeting was posted on November 1, 2012 near the front entrance of City Hall, 125 East College Street, Covina, in accordance with §54954.2(a) of the California Government Code.

CLOSED SESSION

- A. G.C. §54957.6 – CONFERENCE WITH LABOR NEGOTIATOR
Agency representative: Marco A. Martinez, City Attorney
Unrepresented Employee Title: City Manager

- B. G.C. §54956.9(a) – CONFERENCE WITH LEGAL COUNCIL – Existing Litigation
Name of case: City of Covina et. al v. LPC Center et. al - Case No. KC0646566

RECONVENE THE MEETING

The City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority meeting reconvened at 7:31 p.m., with all members present.

City Attorney Marco Martinez reported City Council/Agency/Authority met in closed session to discuss the items listed on the regular meeting agenda. City Attorney Martinez reported there is no reportable action related to the closed session items.

PLEDGE OF ALLEGIANCE

Council Member Delach led the pledge of allegiance.

INVOCATION

Covina Police Chaplain David Truax gave the invocation.

PRESENTATIONS

Mayor Stapleton invited members of Cub Scouts Troop 446 to the lectern and recognized them for completing the requirements to become Boy Scouts.

Dr. Barbara Ann Hall spoke about the World War I plaque on the military memorial at City Hall. Dr. Hall reported that she was able to locate the names of the fallen heroes from World War I and is working on a new plaque, which lists those names.

The City Council, upon consensus, requested to have a staff report on the next agenda regarding the World War I plaque placement.

PUBLIC COMMENTS

Genevieve Blanche of the San Gabriel Valley Council of Governments spoke regarding the San Gabriel Valley Energy Wise Partnership 2012 Holiday LED Light Exchange kick-off on Friday, November 16, 2012 at the Christmas Tree Lighting, Covina Heritage Plaza from 5:00 p.m. to 9:00 p.m. Call (626) 457-1800 or visit www.sgvenergywise.org for additional information.

Joe Tombrello, Covina resident, spoke regarding a neighbor that has continual code enforcement violations. Mr. Tombrello provided photographs of the violations and requested assistance from City Council.

Mayor Stapleton requested Tombrello speak with Assistant Director of Public Works, Alex Gonzalez, to discuss his concerns.

Bob Orso, Cultural Arts Advisory Commission (CAAC), provided highlights of the 2012 Dia de Los Muertos event that took place on October 27, 2012. Mr. Orso noted that there were over 5,000 in attendance and that the CAAC raised \$7,000 to help fund the event.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Council Member Low commented that Albertson's grocery store located on Azusa Avenue had closed. Council Member Low expressed that Albertson's grocery store faced the inability to adjust to the changing community demographics. Council Member Low stated he received a phone call from Dr. Tony De Varis who was inquiring about the September celebration for the placement of the Olmec Head at Jalapa Park.

Mayor Stapleton asked Mr. Low to provide his contact information to Dr. Tony, in order to discuss the matter directly.

Council Member King stated that he enjoyed the Halloween Carnival and thanked staff for their work on the event. Council Member King praised the members of the Cultural Arts Advisory Commission on the success of the Dia de Los Muertos event.

Council Member Delach stated it was great to see all the great costumes at the Halloween Carnival. Council Member Delach spoke on the success of the 42nd Annual Golf Tournament held on November 5, 2012.

Mayor Pro Tem Allen reminded everyone to go see the American Flags being placed at Sierra Vista Middle School for the Field of Valor event. Mayor Pro Tem Allen asked everyone to keep the victims of Hurricane Sandy in their thoughts.

Mayor Stapleton reported that Skyzone had their grand opening on Saturday, November 3, 2012. Mayor Stapleton noted Skyzone would be donating all proceeds from one night to the victims of Hurricane Sandy.

Mayor Stapleton announced the following upcoming community events:

- The Smart Gardening Workshop on Saturday, November 10, 2012 from 9:30 a.m. to 11:00 a.m. at Charter Oak Park
- The Field of Valor, presented by the Covina Rotary Club, will display 2001 American Flags at Sierra Vista Middle School on Sunday, November 11, 2012 from 8:00 a.m. to 8:00 p.m.

Mayor Stapleton requested to adjourn the meeting in memory of Karl Tolar, a coach with the Charter Oak Youth Baseball and Softball Association.

CITY MANAGER COMMENTS

None.

CONSENT CALENDAR

On a motion made by Council Member King, seconded by Council Member Delach, the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority approved Consent Calendar items CC1, CC2, CC3, CC5, CC6, CC7, CC8, CC9 and CC10. Consent Calendar items CC4 and CC11 was removed from the agenda for further discussion and consideration. **Motion carried 5-0.**

- CC 1.** City Council approved the minutes from the October 2, 2012 special meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 2.** City Council approved the minutes from the October 2, 2012 regular meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 3.** City Council approved the minutes from the October 16, 2012 regular meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 4.** City Council to approve the minutes from the October 18, 2012 special joint meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority with L.A. Supervisor Michael Antonovich.

Council Member Low noted that he did not attend the meeting. Council Member Low requested clarification if the meeting was adjourned to the October 25, 2012 Strategic Planning Workshop meeting.

City Attorney Marco Martinez clarified that the October 18, 2012 special joint meeting was adjourned to the October 25, 2012 Strategic Planning Workshop meeting. City Attorney Martinez stated that the Strategic Planning Agenda had not been posted correctly and therefore not more than two Council Members could attend the workshop meeting so not to violate the Brown Act.

Council Member Delach noted that she attended the workshop and that she was provided the proper information by the City Attorney the day of the workshop.

On a motion made by Council Member King, seconded by Council Member Delach, the Council/Agency/Authority approved Consent Calendar item CC4. **Motion carried 4-0, with Council Member Low abstaining.**

- CC 5.** City Council approved the carryover of encumbrances from fiscal year 2011-2012 to fiscal year 2012-2013.
- CC 6.** City Council received and filed the report of total workers' compensation liabilities pursuant to Labor Code Section 3702.6(b).

- CC 7. City Council authorized the City Manager to approve the letter of engagement with Macias Gini O' Connell LLP for due diligence review of the Successor Agency funds.
- CC 8. City Council awarded a bid to MG. Construction, as the lowest responsive and responsible bidder, for the sewer main replacement at Vincent Avenue and new sewer installation at Charter Drive, Project No. S-1206.
- CC 9. City Council adopted **Resolution No. 12-7117**, amending the fiscal year 2012-2013 budget for new appropriations.
- CC 10. City Council adopted **Resolution No. 12-7118**, approving the City of Covina Employer/Employee Public Transit Agreement.
- CC 11. City Council to receive and file strategic plan update.

Council Member Low stated that he wrote a presentation, which he read aloud during the Strategic Planning Workshop meeting. Council Member Low stated that he gave his written presentation to the workshop meeting facilitator.

Council Member Delach noted that the written presentation was out of the normal procedure of a Strategic Planning Workshop and the facilitator wished to maintain the consistency of the process.

City Manager Daryl Parrish reported the Strategic Planning Workshop turned into a staff-focused exercise of adjusting the City's objectives. City Manager Parrish noted Council Member Low's typed letter was returned by the meeting facilitator. City Manager Parrish stated he would be providing a follow up to City Council on Council Member Low's typed letter.

On a motion made by Council Member King, seconded by Council Member Delach, the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority to approve Consent Calendar item CC11. **Motion 4-1, with Council Member Low in opposition.**

CONTINUED BUSINESS

- CB 1. City Council to hold first reading and re-introduce an Ordinance amending Title 5 of the Municipal Code, Business Licenses and Regulations by adding Chapter 5.06 pertaining to rental housing permitting and inspection and schedule second reading of said Ordinance.

City Manager Parrish provided a brief report of the item before City Council for consideration.

Following a brief discussion and on a motion made by Mayor Stapleton, seconded by Council Member King, the City Council held first reading, waiving further reading and re-introduced **Ordinance No. 10-1980**, amending Title 5, Business Licenses and Regulation, by adding Chapter 5.06 pertaining to rental housing permitting and inspection.

ADJOURNMENT

At 8:46 p.m., Mayor Stapleton adjourned the meeting in memory of Karl Tolar to its next regular meeting of the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority to be held on **Tuesday, November 20, 2012** at 6:30 p.m. for closed session and 7:30 p.m. for open session in the Council Chamber located inside of City Hall, 125 East College Street, Covina, California, 91723.

Respectfully Submitted:

Catherine M. LaCroix, CMC
Senior Deputy City Clerk

Approved this 4th day of December, 2012.

Mayor/Chairperson Stapleton

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: CC 2

STAFF SOURCE: Amy Hall-McGrade, Parks & Recreation Director 

TITLE: Grant approval to the Covina Chapter Daughters of the American Revolution and the Covina Valley Historical Society to replace the existing World War I plaque with one that includes the soldier's names from Covina.

STAFF RECOMMENDATION

Grant approval to the Covina Chapter Daughters of the American Revolution and the Covina Valley Historical Society to replace the existing World War I plaque with one that includes the soldier's names from Covina.

FISCAL IMPACT:

No City funds will be used for the purchase of the plaque.

BACKGROUND:

The Covina Chapter Daughters of the American Revolution and the Covina Valley Historical Society have been working together informally to obtain the names of the Covina soldiers who died in World War I. The two groups will be raising the funds necessary to replace the current plaque located in the Donald Evans Memorial Courtyard at City Hall. The new plaque would be in the same style and material as the other ones located in the courtyard.

The Covina soldier's names came from the booklet, "The Upper San Gabriel Valley in the War," that was published by the Covina Argus shortly after World War I, which included the names of the men and women from Azusa, Baldwin Park, Covina, Glendora, and La Puente who served and those who died in World War I.

RELEVANCE TO THE STRATEGIC PLAN

None.

EXHIBITS

A. Presentation packet presented by Barbara Ann Hall, Ph.D.

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

TO: The Covina City Council

FROM: Barbara Ann Hall, Curator the Vintage Years

RE: ADDING A PLAQUE TO THE CITY HALL COURTYARD WAR
MEMORIAL THAT LISTS THE COVINA MEN WHO DIED IN WORLD
WAR I

In the booklet, "The Upper San Gabriel Valley in the War," that was published by the Covina Argus shortly after World War I, I found the names of the men and women from Azusa, Baldwin Park, Covina, Glendora, and La Puente who served and those who died in World War I. I would like to request that a new plaque that lists the Covina men who died be placed on the memorial. The new plaque would be in the same style and material as the other ones on the memorial.

I have attached for your information the title page of the booklet and the pages that give information about the Covina men who were killed. I have also attached an estimate of what the plaque would cost.

Informal discussions about the importance of adding the plaque have been held with members of the Covina Chapter Daughters of the American Revolution and Robert Ihsen, President of the Covina Valley Historical Society. If the Council approves the project, there are individuals who have expressed interest in funding it.

FUTURE PACKAGING & PRESERVATION

544 E. Edna Place
Covina, CA 91723
graphics@futurepkg.com
Tel: 626.966.1955
Fax: 626.966.5779

COVINA HISTORICAL SOCIETY

COMPANY NAME: _____
CONTACT NAME: BARBARA HALL
PHONE: _____
FAX: _____
DATE: 5 OCTOBER 2012
PAGES: 1 OF 2

CAST PLAQUE SPECIFICATIONS

QUANTITY: 1 SIZE: 20" X 14"
MATERIAL: CAST BRONZE
BORDER STYLE: Choose from: STRAIGHT EDGE, *SINGLE LINE BEVEL EDGE
GRAPHICS: see page 2
LETTER STYLE/ARTWORK: see page 2
BACKGROUND TEXTURE: Choose from: *LEATHERETTE, TRAVERTINE, PEBBLED, or SCULPTURED
BACKGROUND FINISH: Choose from: DARK BROWN, * LIGHT BROWN, BLACK, GREY or OTHER
CLEAR COATING: Choose from: *GLOSS DIAMOND SHIELD (outdoor use) or SEMIGLOSS LACQUER
MOUNTING METHOD: Choose from: MACHINE SCREWS, TOGGLE BOLTS, or WOOD SCREWS
with ROSETTES
NOTES: _____

THIS IS A PROOF FOR THE PLAQUE REQUESTED. PLEASE CHECK WORDING, SPELLING, PUNCTUATION, LETTER STYLE, BORDER STYLE, MOUNTING AND GENERAL OVERALL APPEARANCE CAREFULLY. NOTE ON THE ATTACHED PROOF ALL CHANGES OR CORRECTIONS. PLEASE NUMBER EACH CHANGE. ERRORS ON THE PROOF NOT CORRECTED COULD APPEAR ON THE FINISHED PLAQUE. CHANGES TO PROOF MAY INCUR CHARGES. APPROVAL OF THE PROOF ACKNOWLEDGES THAT IT IS CORRECT AND SUPERSEDES ALL PREVIOUSSETS OF PROOFS.

*Recommended Selection - If selections are not made the recommended selection will be assumed.

Accepted by:

SIGNATURE: _____

DATE: _____

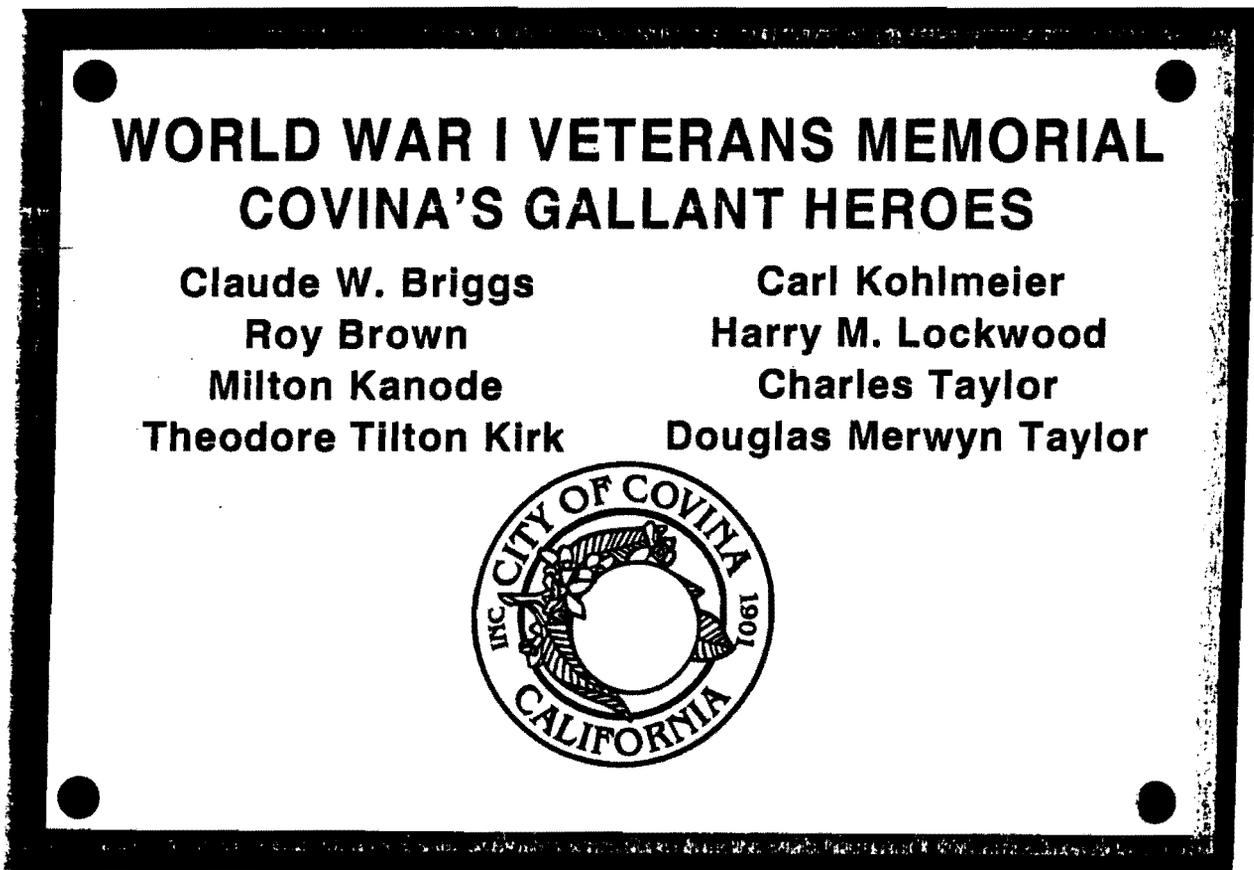
FUTURE PACKAGING & PRESERVATION

544 E. Edna Place
Covina, CA 91723
graphics@futurepkg.com
Tel: 626.966.1955
Fax: 626.966.5779

COMPANY NAME: Covina Historical Society
CONTACT NAME: BARBARA HALL
PHONE: _____
FAX: _____
DATE: 5 OCTOBER 2012
TOTAL PAGES INCLUDED: 2 OF 2

CAST PLAQUE PROOF

QUANTITY: 1 SIZE: 20" X 14" SCALE: 32 %



THIS IS A PROOF FOR THE PLAQUE REQUESTED. PLEASE CHECK WORDING, SPELLING, PUNCTUATION, LETTER STYLE, BORDER STYLE, MOUNTING AND GENERAL OVERALL APPEARANCE CAREFULLY.

Accepted by:

SIGNATURE: _____

DATE: Exhibit A page 3 of 9

HISTORICAL WAR RECORD

This booklet, "The Upper San Gabriel Valley in the War," has been compiled from the most accurate war data obtainable in all the valley towns. A portion of the costs of research and publishing have been generously prorated by the following citizens:

W. P. WATTS
A. M. SEELEY
L. L. RATEKIN
HENRY DAMEREL
FIRST NATIONAL BANK OF COVINA
FIRST NATIONAL BANK OF AZUSA
FIRST NATIONAL BANK OF GLENDORA
COVINA NATIONAL BANK
W. R. POWELL
DR. J. D. REED
C. A. GRIFFITH
WESTWOOD H. COLLINS
BALDWIN PARK CHAMBER
OF COMMERCE
HURST RANCH
C. S. BEARDSLEY
GEORGE E. CROSS
R. A. WELCH
W. E. NEWTON
GLENDORA CITRUS ASSOCIATION
MISS CLARE SANBORN
DR. DAVID WATSON
WILLIAM BOWRING
BOY SCOUTS OF COVINA,
William Hoogendyk, Scoutmaster

Dedication

This book is dedicated to the men, women and children of the Upper San Gabriel Valley, whose united efforts, in camp, on the sea, on the battlefield and in the fields that fed the soldier and sailor in service, at the sewing machine and bandage table, in the store and the bank and the packing house, assisted in bringing victory and thereafter peace following America's war with Germany.

James L. Matthews,
Editor of the Covina Argus.

Frank Gard in Argonne battle is confirmed. Peace services in local churches. Milton Kanode killed in Argonne battle. Herbert Gump of Irwindale dies in France in a military hospital. Lieut. Leigh Webber, son of owner of one of Covina's garages, is gassed during Argonne battle. Claude W. Briggs, youngest son of Mr. and Mrs. H. D. Briggs, pioneers of the valley, is killed in action in France. Lieut. Douglas made assistant to chief of air service in France. Corporal Oscar A. Lindahl reports having been through five battles and only received slight scratch from piece of shrapnel. Lloyd Crawford, son of Mr. and Mrs. H. A.

Crawford, reported recovering from dangerous wounds received in American offensive. Lieut. Lowell G. Krigbaum, husband of Covina woman, is promoted to captaincy in France.

December.—Card mailed after the signing of armistice by Virgil Bonham read: "It's over. We win. The guns are quiet tonight." Bonham had been overseas nearly two years at that time. Mark Custer, son of Mr. and Mrs. W. Q. Custer, sends letter telling of fighting eight days without rest in Argonne. Files of newspapers throughout valley contain many accounts of famous battle written by men of the valley who participated.

Brothers in Arms

There were Covina men who participated in battle, and Covina men who gave invaluable service to their country all the way from the training camps to the front line. But it remained for two lieutenants belonging to one Covina family to literally see more of the war than perhaps any soldier that went from this state.

It is a well-known fact among soldiers that men may participate in a general attack all along the front line and still not realize that a battle is in progress. There were young men who



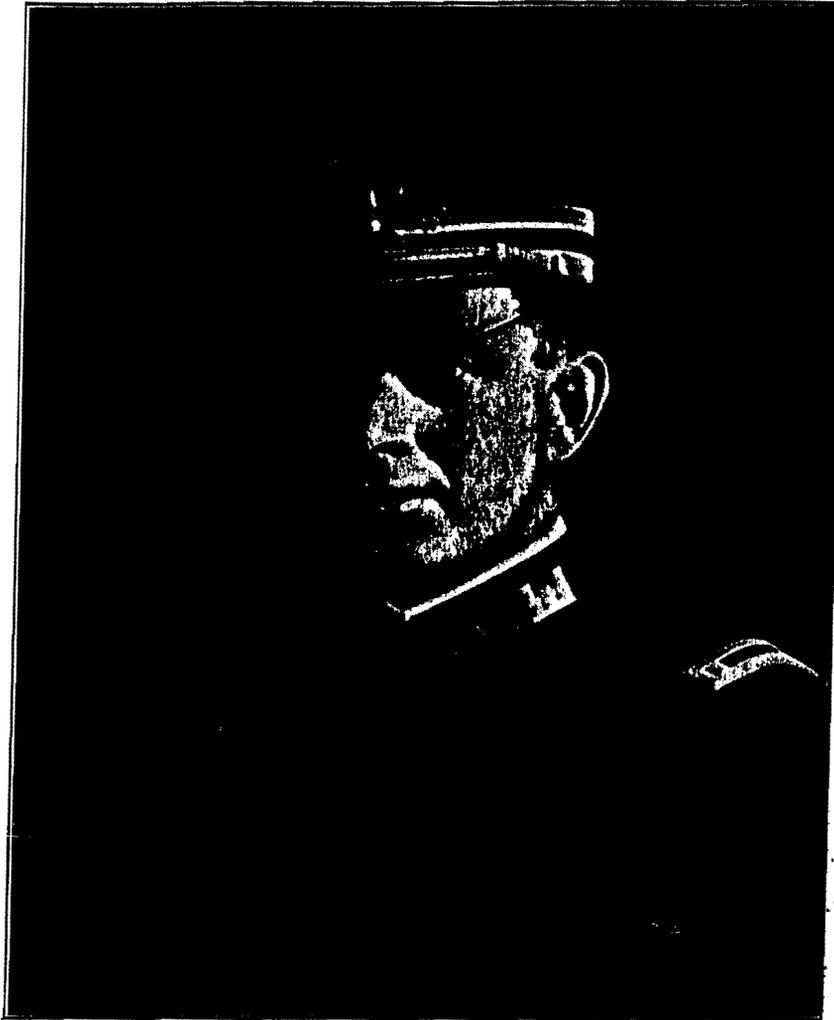
CAPTAIN HOWARD T. DOUGLAS
Aviation Service



LIEUTENANT GORDON C. DOUGLAS
Twenty-ninth Engineers

went through the battle of the Argonne without seeing a German soldier until the prisoners began to come back from the front lines. These young men were important units in a big battle, but they could not see the battle they were participating in.

But Howard T. Douglas, son of Summerfield Douglas of Covina, saw the battle areas from the air. As a lieutenant of infantry, he was attached as



LIEUT. THEO. T. KIRK
Killed in Action

Theodore Tilton Kirk was born February 25th, 1886, at Owensboro, Kentucky. He lived on a farm until he was sixteen years of age, when he entered the Kentucky state university. Before he graduated the opportunity arose to accept a government position as teacher in the Philippine islands, so by the time he was 21 years old he was teaching high school work. He remained in the islands three years. During the first two summers there he worked in the engineering department for the government, as that was really the branch for which he was studying. He did such splendid, conscientious work during those two summers that his last year in the islands found him transferred from the teaching force to the

draftsman's department of engineering.

Mr. Kirk was very ambitious and wished to complete his college and university work. He returned to the states when he was 24, by way of Europe, and spent eight months traveling over Asia and Europe. He had always worked his way through school, and through his own efforts had been around the world before he was 25.

Returning to Washington, D. C., he entered George Washington university, and later by a presidential order was placed in the civil service of the United States.

On August 25, 1916, he was married to Emma May Hull at the home of her parents, 116 West Center street, Covina. The young couple made their

In Memoriam



LIEUT. CARL KOHLMEIER
Killed in Service

Lieut. Carl Kohlmeier, son of Mr. and Mrs. C. C. Kohlmeier who formerly owned the Mountainview ranch in Covina, was killed in an accident while instructing American flying men on an aviation field in France, July 4, 1918.

Lieut. Kohlmeier entered the service in the ambulance corps, and was in training for some time at Allentown,

Pa. He succeeded in getting a transfer to aviation, trained at Princeton university, and was breveted on his splendid record. He entered foreign service in the fall of 1917, and served one year, one month and two days. His brother lives in Covina, and his parents at 1054 Ingraham street, Los Angeles. The young man had a host of friends.

DIED OF WOUNDS

Milton Kanode, who was drafted from Covina, and whose home was in Topeka, Kan., was a member of Company F, 361st Regiment, 91st Division. On October 5, in the great offensive in the Argonne forest, he was fatally wounded.

The young soldier who so cheerfully

gave his life for the betterment of mankind and for his country was well known and well liked in Covina, where he had worked for some time prior to going into the army. He was engaged to be married to Miss Edith Hull, daughter of Mr. and Mrs. E. P. Hull of Covina.

home in Los Angeles. Mr. Kirk had always been intensely interested in the army, and was much worked up over the war situation in Europe. In September, 1916, he and James Irvin organized a company of engineers in Los Angeles under the new federal militia law. Mr. Kirk was commissioned first lieutenant of this company in October of the same year.

Lieutenant Kirk spent all his spare time on the militia. In May, 1917, he alone organized a second company of engineers from Los Angeles. He was transferred to this last company as first lieutenant on August 5, 1917, and the company was mobilized at Los Angeles armory, Exposition park. They spent two weeks there, a week at the camp near Arcadia, a week at Camp Fremont, near Palo Alto, California, and arrived at Camp Mills, Long Island, September 8, 1917. They were then F company of the 117th regiment, engineers, 42nd division, and sailed for France the night of Oct. 18th. They arrived in France Nov. 1. Lieutenant Kirk was an excellent French scholar and was sent in advance from the port of entry to prepare for the billeting of his regiment. He was American town major of the regiment during the winter, beside many other duties.

He was sent to the front in early March, on the Toul sector, as nearly as we can tell. There he engaged in active battle and was first officer to accompany a raiding party into the German trenches. His wife received word that he went to the new field about the middle of June. In his last letter, written July 8, he said, "we are the shock troops of the American army."

The official notice stated he was killed in action, July 28, 1918 (nothing more is known now), near Chateau Thierry. The company was passing a cross-roads preparatory to going into camp. They considered the place camouflaged, but the moment Lieutenant Kirk's horse appeared in the opening the Germans opened fire with high explosives. A shell exploded under his horse, burying both. A small piece of steel struck Lieutenant Kirk in the head. He lived only a few moments. No one else was even wounded. Lieutenant Kirk was leading the company. They were on foot in single file.

Lieutenant Kirk was to have started on the day he was killed for home. His commission as a captain was awaiting him in the states. He was to have done special work in the training camps here.

Lieutenant Kirk leaves, beside his wife, his mother and little half sister, who live in Owensboro, Kentucky, and his only brother, who is principal of the high school at Irvington, Kentucky.

ON LIBERTY'S ALTAR

Mrs. A. Taylor, an English woman who has made her home in Covina for more than ten years, was one of the women who twice underwent the supreme sacrifice.

Her son, George Charles Taylor, 30 years old, was killed in action in Rhodesia, South Africa, October 4, 1916. This was in an engagement between the South African constabulary and the Germans. On October 23 of the same year the mother received word that her son, Douglas Merwyn Taylor, had been killed in action on the French front.

The third son, Leslie G. Taylor, enlisted in the Canadian battalion at Edmonton in 1916. He was dangerously wounded on the French front August 21, 1917.

KILLED IN ACTION

Harry M. Lockwood, son of Mr. and Mrs. H. C. Lockwood of Willow and Francisquito streets, between Covina and Puente, enlisted in June of 1917, in 20th company, 5th regiment, 3rd battalion, U. S. Marines. He went with one of the first contingents to France in March of 1918.

Lockwood was reported as missing in action on July 27, 1918, by the war department, following the battles of Chateau Thierry and Belleau Wood. For several months his parents were in doubt as to whether he had been killed or was a prisoner with the Germans. The war department finally changed the report to that of "killed in action." It is probable that he is among the unknown dead that are buried on the great battlefields of France.

DIED OF WOUNDS

Roy Brown, who for several years was employed in Covina and in several other communities in this valley, was one of the first soldiers from this valley to give up his life for his country.

Brown was mortally wounded in one of the first engagements, and died while being carried to the hospital. His death occurred in July, 1918, and notification was received in Covina on July 25. His parents are Mr. and Mrs. Henry Brown of Northrup, Kan. His uncle, J. Frank Kendall, lives in Covina, with whom the young man was employed at one time, and also with other relatives in Pomona. He was 22 years old.

W. C. T. U. WORKERS.

No organization in the valley responded more nobly to the great war than the W. C. T. U. The women of this organization made and furnished 200 "comfort kits" to the enlisted men of Covina.

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: CC 3

STAFF SOURCE: Amy Hall-McGrade, Parks & Recreation Director 
Lisa Evans, Parks & Recreation Manager 

TITLE: Adopt **Resolution No. 12-7120** amending the fiscal year 2012-2013 Parks & Recreation Department's operating budget for the reimbursement of the Sports Center (Gymnasium) grant project funds to Los Angeles County in the amount of \$120,213.56.

STAFF RECOMMENDATION

Adopt **Resolution No. 12-7120** amending the fiscal year 2012-2013 Parks & Recreation Department's operating budget for the reimbursement of the Sports Center (Gymnasium) grant project funds to Los Angeles County in the amount of \$120,213.56.

FISCAL IMPACT:

The funding for the reimbursement will come from Prop A Maintenance funds and fees collected from California Street Hockey Association in account 4630-3400-42250 (revenue). As of June 30, 2012 the Unaudited Fund Balance for this fund is \$498,530.

BACKGROUND

The City has obtained approval from Supervisor Antonovich's Fifth District to begin the process to reallocate the \$650,000 that was originally granted for the design and construction of the Sports Center (Gymnasium) project at Kahler Russell Park to the rehabilitation of the Joslyn Center. The next step in the process is to remit to the County the incurred costs from the Covina Sports Center project design in the amount of \$120,213.56 that was reimbursed by the County.

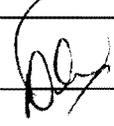
The City will maintain the Covina Sports Center plans and will move the project forward once other funding sources become available.

RELEVANCE TO THE STRATEGIC PLAN

The renovation of the Joslyn Center is essential to maintaining a primary financial funding source for Parks & Recreation programs, and to ensure quality customer service in a safe facility.

EXHIBITS

A. Resolution No. 12-7120

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: _____	Other: _____

RESOLUTION NO. 12-7120

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE FISCAL YEAR 2012-2013 PARKS & RECREATION DEPARTMENT'S OPERATING BUDGET FOR THE REIMBURSEMENT OF THE SPORTS CENTER (GYMNASIUM) GRANT PROJECT FUNDS TO LOS ANGELES COUNTY IN THE AMOUNT OF \$120,213.56.

WHEREAS, the City of Covina is a municipal corporation duly organized and existing pursuant to the Constitution and laws of the State of California ; and

WHEREAS, the budget for the City of Covina for fiscal year commencing July 1, 2012 and ending June 30, 2013 was approved on June 19, 2012; and

WHEREAS, the approved budget is in accordance with all applicable ordinances of the City and all applicable statutes of the State; and

WHEREAS, the reallocation of the appropriations between departmental activities may be made by the City Manager, amendments (increases/decreases) to the Budget shall be by approval and Resolution of the City Council; and

WHEREAS, all reimbursements received from Los Angeles County for the Sports Center (Gymnasium) project must be paid back in order to reallocate grant funds to the Joslyn Center renovation project;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Covina, as follows:

SECTION 1. Amend the fiscal year 2012-2013 Parks & Recreation Department's operating budget as follows:

4630-3400-00-42250 (revenue) \$120,213.56

SECTION 2. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this twentieth day of November, 2012.

Mayor

ATTEST:

Deputy City Clerk

Approved as to form:

Legal Counsel

CERTIFICATION

I, Catherine M. LaCroix, Deputy City Clerk of the City of Covina, hereby CERTIFY that Resolution No. was adopted by the Covina City Council at a regular meeting of the City Council held this twentieth day of November, 2012, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix
Deputy City Clerk

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: CC 4

STAFF SOURCE: Kim J. Raney, Chief of Police 

ITEM TITLE: Resolution of the City Council of the City of Covina, County of Los Angeles, State of California, approving an amendment to the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force Joint Powers Agreement (JPA).

STAFF RECOMMENDATION

Adopt **Resolution No. 12-7121**, approving an amendment to the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force Joint Powers Agreement (LA IMPACT JPA); and authorize the City Manager to execute the JPA agreement.

FISCAL IMPACT

No fiscal impact.

BACKGROUND

Inaugurated on July 1, 1991, the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (LA IMPACT) is a compilation of numerous Federal, State and local Law Enforcement agencies in Los Angeles County whose primary focus is to investigate major crimes, with an emphasis on dismantling mid to major level drug trafficking organizations. The task force was originally founded by the Los Angeles County Police Chiefs' Association; a vast majority of the law enforcement executives from this association have been designated to serve on the current Board of Directors of the JPA.

LA IMPACT's primary area of expertise is narcotic enforcement. The task force is known for its surveillance capabilities and possesses some of the most extensive surveillance resources in California. LA IMPACT has specialized proficiency in the following areas: major drug trafficking organizations, money laundering, clandestine laboratory investigations, transportation and parcel interdiction, and gang enforcement. LA IMPACT is the primary clandestine laboratory response team for Los Angeles County.

In 2011, L.A. IMPACT was formally organized as a Joint Powers Authority under California Government code. On March 13, 2011, the Covina City Council adopted Resolution 2011-6938 approving the City's membership in the L.A. IMPACT Joint Powers Authority. There are currently 33 Member cities, along with the County of Los Angeles and the State of California Bureau of Investigations, which operates out of the Dept. of Justice. The federal Drug Enforcement Agency (DEA) continues to partner with L.A. IMPACT on major investigations.

During the first year of operating as a Joint Powers Authority, it became apparent that several issues

issues needed clarification or were not addressed in the Joint Powers Agreement as originally adopted by the Membership. Specifically, two areas were recognized as warranting amendment: Associate member indemnity, and state contracting goals for disabled veterans businesses.

Associate Member Indemnity

The L.A. IMPACT Joint Powers Agreement (JPA), to which all Members are a party by definition, provides that each Member will indemnify L.A. IMPACT as well as other Members for the general liability and worker's compensation liability caused by the Member's contributed personnel who perform law enforcement or support functions. These indemnity provisions are found in sections 14.03 and 14.04 of the JPA. The Agreement also provides in section 14.06 that L.A. IMPACT will indemnify its Members for the actions of L.A. IMPACT's employees.

The JPA also contemplates that public agencies may join L.A. IMPACT as an Associate Member rather than as a full Member. Article 4 of the JPA addresses Associate Member Agreements.

The JPA does not contain a provision for the Members or for L.A. IMPACT to indemnify Associate Members or provide that Associate Member agreements must contain indemnity provisions to protect the Members. It is contemplated that Associate Members would contribute law enforcement personnel who would work side by side with Members' contributed personnel. This lack of indemnity between Associate Members and the Members would most likely discourage agencies from becoming Associate Members. Additionally, the Members, such as Covina, would not be shielded from Liability when its officers are working side by side with an Associate Member's officers.

In January 2012, the L.A. IMPACT Executive Committee (a 13-member committee from the Board of Directors) voted unanimously to send an Amendment to the members addressing indemnity as it pertains to the Associate Members.

State of California Contracting Participation Goals

Government Code Section 6522, which is part of the Joint Powers Act governing L.A. IMPACT as a joint powers authority, provides that the contracting participation goals set out in the California Military and Veterans Code, Section 999 et seq. are to become part of any joint powers agreement (JPA) entered into by the State of California. The former Bureau of Narcotics Enforcement, now the Bureau of Investigation ("BI"), participates in L.A. IMPACT and contributes a number of sworn and non-sworn personnel, including at the Executive Director level. The BI wishes to continue its participation in L.A. IMPACT and has signed the JPA, contingent upon the requirements of Government Code Section 6522 being added to the JPA through an amendment.

The contracting participation goals set out in the Military and Veterans Code state that a State agency must strive to meet the goal of awarding 3% of its annual contracting dollars to businesses owned by disabled veterans. While it is mandatory to include the state contracting goals in the JPA, there are no penalties if the goals are not met, and State law specifically

provides that a third party cannot take legal action to invalidate contracts of the agency for failure to meet the participation goals.

In June 2012, the Executive Committee voted unanimously to send an Amendment to the Members regarding the contracting goals.

The JPA may be amended by a majority of the members governing boards approving the amendment. Staff recommends that the City Council adopt the attached Resolution approving the Amendment.

RELEVANCE TO THE STRATEGIC PLAN

None.

EXHIBITS

- A. Proposed Resolution No. 12-7121 approving amendments to the LA IMPACT Joint Powers Agreement
- B. Resolution No. 11-6938

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

RESOLUTION NO. 12-7121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING AN AMENDMENT TO THE LOS ANGELES INTERAGENCY METROPOLITAN POLICE APPREHENSION CRIME TASK FORCE JOINT POWERS AGREEMENT (JPA).

WHEREAS, on March 15, 2011, the Covina City Council adopted Resolution 11-6938 approving Covina's membership in the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (L.A. IMPACT) Joint Powers Authority and authorizing the City Manager to sign the L.A. IMPACT Joint Powers Agreement; and,

WHEREAS, pursuant to Section 15.01(b) of the Joint Powers Agreement, the Members have the responsibility to consider proposed Amendments; and

WHEREAS, pursuant to Section 18.01 of the Joint Powers Agreement, the Agreement may be amended with the majority approval of the Members, exercised through each Members' governing body; and

WHEREAS, a proposed Amendment to the Joint Powers Agreement has been submitted to the Members for their approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COVINA AS FOLLOWS:

1. Pursuant to the City's authority under the Joint Exercise of Powers Act in California Government Code §6500 et seq., and the provisions of the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (L.A. IMPACT) Joint Powers Agreement, the Proposed Amendment to the Joint Powers Agreement, attached hereto as Exhibit A, is approved by the Covina City Council.
2. The City Manager is authorized and directed to execute the Amendment to the L.A. IMPACT Joint Powers Agreement to effectuate the intent of this Resolution.
3. The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption and the City Clerk, or his duly appointed deputy is directed to attest thereto.
4. This Resolution is effective upon adoption.

APPROVED and ADOPTED this ____ day of _____, 2012.

Kevin Stapleton, Mayor
City of Covina, California

ATTEST:

APPROVED AS TO FORM:

Catherine LaCroix
Deputy City Clerk

Marco Martinez
City Attorney

COPY

RESOLUTION NO. 11-6938**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING THE LOS ANGELES INTERAGENCY METROPOLITAN POLICE APPREHENSION CRIME TASK FORCE JOINT POWERS AGREEMENT (LA IMPACT JPA)**

WHEREAS, the City of Covina recognizes the need for a regional crime task force with specialized proficiency in the area of surveillance to effectively investigate major crimes, with an emphasis on narcotics enforcement; and

WHEREAS, the City of Covina currently participates in the Interagency Metropolitan Police Apprehension Crime Task Force (LA IMPACT) as a signatory to a Memorandum of Understanding, and supports the concept of formally organizing LA IMPACT as a Joint Powers Authority to clarify the rights and duties of the LA IMPACT members and to provide LA IMPACT with legal standing as an entity with its own; and

WHEREAS, the Joint Powers Agreement (JPA) creates an Authority to coordinate a county-wide multi-jurisdictional crime task force; and

WHEREAS, the City of Covina desires to become a member of the LA IMPACT Authority created thereto.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Covina, California, as follows:

SECTION 1. Pursuant to the City's authority under the Joint Exercise of Powers Act in California Government Code §6500 et seq., the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (LA IMPACT) Joint Powers Agreement, attached hereto and incorporated herein, is approved, thereby authorizing the City's membership in the LA IMPACT Authority.

SECTION 2. The City Manager is authorized and directed to execute the LA IMPACT Joint Powers Agreement to effectuate the intent of this Resolution.

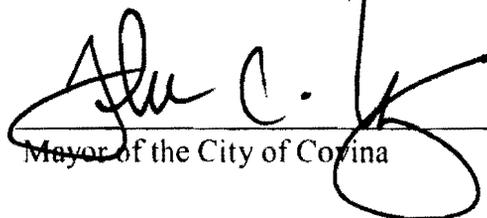
SECTION 3. The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption and the City Clerk, or his duly appointed deputy is directed to attest thereto.

SECTION 4. This Resolution is effective upon adoption.

COPY

COPY

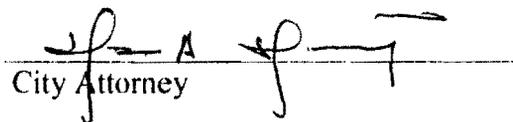
PASSED, APPROVED AND ADOPTED this 15th day of March, 2011.


Mayor of the City of Covina

ATTEST:


City Clerk of the City of Covina

APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Catherine M. LaCroix, Deputy City Clerk of the City of Covina, California, do hereby certify that the forgoing Resolution was introduced and adopted by the Covina City Council at a regular meeting thereof held on the 15th day of March, 2011, by the following vote of the City Council:

AYES:	ALLEN, DELACH, KING, LOW, STAPLETON
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

IN WITNESS THEREOF, I have hereunto set my hand and affixed the official seal of the City of Covina, California, this 15th day of March, 2011.

COPY


Catherine M. LaCroix, Deputy City Clerk

AMENDMENT TO JOINT POWERS AGREEMENT
FOR
LOS ANGELES INTERAGENCY METROPOLITAN POLICE
APPREHENSION CRIME TASK FORCE
(L.A. IMPACT)

This Amendment to the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (L.A. IMPACT) Joint Powers Agreement ("Agreement") is made and entered into by and between those public agencies duly organized and existing, which are parties signatory to the Agreement and listed on Exhibit A to the Agreement.

RECITALS

WHEREAS, the Members have entered into the Agreement which formed the public entity known as the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force Authority (hereinafter the "Authority"); and

WHEREAS, Members of the Authority contribute their own personnel to a cooperative pool of personnel to provide service to the Authority; and

WHEREAS, the Agreement provides that the state of California may join the Authority as a Member; and

WHEREAS, Government Code section 6522 provides that the contracting participation goals set out in the Military and Veterans Code section 999 *et seq.* are to become part of any joint powers agreement entered into by the State of California; and

WHEREAS, the Members wish to amend the Agreement to include the state's contracting participation goals.

WHEREAS, the Agreement provides in Sections 14.03 and 14.04 that each Member will indemnify the Authority as well as other Members for the general liability and worker's compensation liability caused by the Member's contributed personnel who perform law enforcement or support functions; and

WHEREAS, the Agreement provides in Section 14.06 that the Authority will indemnify the Members for the general liability caused by staff employed by the Authority; and

WHEREAS, the Agreement also authorizes the Authority to enter into Associate Member Agreements with any public agency upon the approval of the Board; and

WHEREAS, the Members wish to amend the Agreement to extend the responsibility and indemnity provisions of Sections 14.03, 14.04 and 14.06 to Associate

Members, provided that Associate Members agree to indemnify the Authority, its Members, and its Associate Members in the same manner as Members under the Agreement.

NOW THEREFORE, in consideration of the foregoing, the Members agree to amend the Agreement as follows:

1. Section 5.01 paragraph (a) of Article 5 Powers shall be amended to read as follows: a) To make and enter into, in its own behalf and not on behalf of the individual Members, contracts consistent with this Agreement, including, but not limited to, contracts to purchase/lease and/or dispose of supplies and equipment. The participation goals specified in Article 6, of Chapter 6 of Division 4 of the Military and Veterans Code, commencing with section 999, will apply to contracts executed by the Authority.

2. Section 4.02 Contents of Associate Membership Agreement shall be amended by adding subsection "g" as follows:

g) Contain provisions to provide indemnity to the Authority, its Members, and other Associate Members, such as is set forth in the Agreement sections 14.03, 14.04 and 14.06.

3. Section 14.03 Member Indemnity for General Liability of Contributed Employee shall be amended to read as follows:

Member Indemnity for General Liability of Contributed Employee. Except as provided in Section 18.05, each Member shall protect, defend, indemnify, and hold free and harmless the Authority, the other Members and **Associate Members, and** their respective elected and appointed boards, officials, officers, agents, volunteers, and employees from and against any and all liabilities, damages, loss, cost, claims, expenses, actions, or proceedings of any kind or nature caused by a contributed employee of the Member who is performing Authority law enforcement or support functions, including, but not by way of limitation, injury or death of any person, injury or damage to any property, including consequential damages and attorney's fees and costs, resulting or arising out of or in any way connected with the alleged willful or negligent acts or alleged failure to act in the course and scope of carrying out their responsibilities in the performance of their duties to the Authority and for which each Member shall maintain sufficient liability coverage, pooled self-insurance coverage, or a program of self-insurance, which includes coverage for contractual promises to indemnify, in effect at all times as determined by the Board of Directors, to cover any such damage claim, loss, cost, expense, action, proceeding, liability, or obligation.

4. Section 14.04 Member Indemnity for Workers Compensation Liability of Contributed Employee shall be amended to read as follows:

Member Indemnity for Workers Compensation Liability of Contributed Employee. Each Member shall fully indemnify and hold harmless the Authority, the other Members **and Associate Members, and their respective** officers, employees and agents, from any claims, losses, fines, expenses (including attorneys' fees and court costs or arbitration costs), costs, damages or liabilities arising from or related to (1) any workers' compensation claim or demand or other workers' compensation proceeding arising from or related to, or claimed to arise from or relate to, employment which is brought by an employee of the respective agency or any contract labor provider retained by the law enforcement agency, or (2) any claim, demand, suit or other proceeding arising from or related to, or claimed to arise from or relate to, the status of employment (including without limitation, compensation, demotion, promotion, discipline, termination, hiring, work assignment, transfer, disability, leave or other such matters) which is brought by an employee of the law enforcement agency or any contract labor provider retained by the law enforcement agency.

5. Section 14.06 Authority Indemnity of Members shall be amended to read as follows:

Authority Indemnity of Members. The Authority shall protect, defend, indemnify, and hold free and harmless the Members **and Associate Members**, their respective elected and appointed boards, officials, officers, agents, volunteers, and employees from and against any and all liabilities, damages, loss, cost, claims, expenses, actions, or proceedings of any kind or nature caused by staff employed by the Authority hired pursuant to Section 12.02 including, but not by way of limitation, injury or death of any person, injury or damage to any property, including consequential damages and attorney's fees and costs, resulting or arising out of or in any way connected with the alleged willful or negligent acts or alleged failure to act in the course and scope of carrying out their responsibilities in the performance of their duties to the Authority.

6. All terms and conditions set forth in this Amendment are incorporated by this reference into the Agreement. This Amendment modifies the Agreement only as expressly set forth above. This Amendment does not modify, alter or amend the Agreement in any other way whatsoever. Except as expressly set forth herein, all terms and conditions of the Agreement shall remain in full force and effect.

7. This Amendment shall be effective upon the approval by a majority of the Members of the Authority. This Amendment may be signed in counterparts.

IN WITNESS WHEREOF, each Member has caused this Amendment to be executed and attested by its proper officers thereunto duly authorized, its official seals to be hereto affixed, as follows:

**CITY OF COVINA Authorization
For Amendment to the LOS ANGELES INTERAGENCY METROPOLITAN POLICE
APPREHENSION CRIME TASK FORCE (L.A. IMPACT)
JOINT POWERS AGREEMENT**

IN WITNESS WHEREOF, the City of Covina, by Resolution of its City Council, has caused this Amendment to be executed on its behalf by the City Manager, and attested by the City Clerk, as of the date so executed below.

City of Covina, CALIFORNIA

Dated: _____

By: _____
Daryl Parrish
City Manager

ATTEST:

Catherine LaCroix
Chief Deputy City Clerk

APPROVED AS TO FORM:

Marco Martinez
City Attorney

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: CC 5

STAFF SOURCE: Kim J. Raney, Chief of Police 

ITEM TITLE: Resolution of the City Council of the City of Covina, County of Los Angeles, State of California, approving the carryover of continuing appropriations from Fiscal Year 2011-2012 to Fiscal Year 2012-2013

STAFF RECOMMENDATION:

Adopt **Resolution No. 12-7123**, allowing for budget adjustments to the Police Department FY 2012-13 budget to accommodate carryovers from grants received in the previous fiscal year

FISCAL IMPACT:

None.

BACKGROUND:

At the end of every fiscal year, the remaining budget balance for grants must be carried over to the new fiscal year to cover the expenditures relating to the grant, until such time as the grant funds have been exhausted. .

RELEVANCE TO THE STRATEGIC PLAN:

None

EXHIBITS:

A. Proposed Resolution No. 12-7123.

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

RESOLUTION NO. 12-7123

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, COUNTY
OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE
CARRYOVER OF CONTINUING APPROPRIATIONS FROM FISCAL YEAR
2011-2012 TO FISCAL YEAR 2012-2013**

WHEREAS, the City of Covina is a municipal corporation duly organized and existing pursuant to the Constitution and laws of the State of California ("City"); and

WHEREAS, the City of Covina was awarded various grants for specific programs; and

WHEREAS, carrying these funds forward to the next fiscal year will allow the programs funded by the grant awards to continue; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Covina, as follows:

SECTION 1. Amend the fiscal year 2012-2013 Police Department Budget as follows:

Appropriation accounts

Bullet Proof Vest Program	22701130-54430	BVP11	\$2,824.85
Bullet Proof Vest Program	22701130 54430	BVP12	\$ 675.00
COPS Technology	22851130 54990		\$ 2,103.76
COPS Technology	22851440 54990		\$ 365.99

Revenue accounts

Bullet Proof Vest Program	22701130 42090	BVP11	\$ 2,824.85
Bullet Proof Vest Program	22701130 42090	BVP12	\$ 675.00
COPS Technology	22851130 42030		\$ 2,103.76
COPS Technology	22851440 42030		\$ 365.99

SECTION 2. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 20th DAY OF November 2012.

Kevin Stapleton, Mayor

ATTEST:

Catherine LaCroix
Chief Deputy City Clerk

APPROVED AS TO FORM;

Marco Martinez, City Attorney

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: CC 6

STAFF SOURCE: Daryl Parrish, City Manager
Lisa Brancheau, Assistant to the City Manager

ITEM TITLE: City Council to adopt Resolution No. 12-7124 to approve up to \$3,000 in City contingency funds for installation and storage of holiday banners to be placed throughout the City

STAFF RECOMMENDATION

Adopt **Resolution No. 12-7124** to approve up to \$3,000 of City contingency funds for installation and storage of holiday banners to be placed throughout the City.

FISCAL IMPACT

A maximum of \$3,000 in City Contingency funds will come from account number 1010-7900-57000. This will result in a Contingency balance of \$7,000.

BACKGROUND

In past years, Redevelopment funds were used to pay for the placement of holiday banners on portions of College St., Badillo St., and Azusa Ave. However, with the dissolution of Redevelopment, the funds are no longer available for this endeavor. Despite the continuous take away of funds by the State, staff believes that continuing to install the holiday banners throughout the city's viable retail corridors will further aid economic development efforts.

RELEVANCE TO THE STRATEGIC PLAN

In keeping with Strategic Planning goal to Enhance Financial Well Being

EXHIBITS

A. Resolution No. 12-7124

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

RESOLUTION NO. 12-7124

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE FISCAL YEAR 2012-2013 GENERAL FUND CONTINGENCY BUDGET TO APPROVE UP TO \$3,000 OF CITY CONTINGENCY FUNDS FOR INSTALLATION AND STORAGE OF HOLIDAY BANNERS TO BE PLACED THROUGHOUT THE CITY

WHEREAS, the City of Covina is a municipal corporation duly organized and existing pursuant to the Constitution and laws of the State of California ("City"); and

WHEREAS, the budget for the City of Covina for fiscal year commencing July 1, 2012 and ending June 30, 2013 was approved on June 19, 2012; and

WHEREAS, the approved budget is in accordance with all applicable ordinances of the City and all applicable statutes of the State; and

WHEREAS, the reallocation of the appropriations between departmental activities may be made by the City Manager, amendments (increases/decreases) to the Budget shall be by approval and Resolution of the City Council;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Covina, as follows:

SECTION 1. Amend the fiscal year 2012-2013 General Fund Contingency Budget as follows:

1010-7900-57000	\$3,000
-----------------	---------

SECTION 2. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 20th DAY OF NOVEMBER.

Kevin Stapleton, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM;

Marco Martinez, City Attorney

EXHIBIT A

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: CC 7

STAFF SOURCE: Kalieh Honish, Interim Director of Public Works
Alex Gonzalez, Assistant Director of Public Works
Paul Hertz, Public Works Superintendent

ITEM TITLE: Public Works Department Monthly Activity Report

STAFF RECOMMENDATION:

Receive and file the Public Works Department Monthly Activity Report

FISCAL IMPACT:

This report is informational only and has no budgetary impact.

BACKGROUND:

Attached for the City Council's review and information are the Public Works Department's Monthly Activity Report for October.

In conjunction with the implementation of a revised Zone Maintenance Program in 2007, the Department implemented a renewed focus on Key Performance Indexing (KPI). KPI is a useful tool for developing a measurement system of organizational effectiveness by identifying activities important to the community and tracking their output over time.

During October, the following trends were noted:

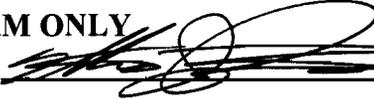
- Equipment Maintenance experienced a busy month as most of their tracked areas were higher than last months by 18%.
- Once again, as anticipated, the Street division's signs-removal and replace numbers were high as crews changed out traffic signs to the current high reflective versions as required and regulated by the Federal Highway Administration.
- The Engineering Section's numbers were approximately 20% higher across the board as compared to last month. This was due to an increase in permits issued which also resulted in an increase in the number of inspections conducted. Inspections of multiple ongoing Water Capital projects continues to take place.
- The water utility's numbers also raised approximately 35% in most areas, including Consumer Responses and Meter Replacements again. Generally, weather wise, October was a very warm month which caused a continuing demand (from the Summer) for water in the system. As a result, main line repairs, service line repairs, and service replacements were higher.

RELEVANCE TO THE STRATEGIC PLAN:

The Public Works Department consists of the Water Division, Streets and Sewer Division, Central Equipment Division, Building Maintenance, and Development Services which includes Engineering, Environmental Services, Building and Safety, as well as Code Enforcement. The combined activities of each of the divisions continually strives to enhance the safety, development and infrastructure needs of the community in the most cost effective and responsive way possible. In this way, while not directly responsive to any of the currently identified objectives of the Strategic Plan the activities which are reported on herein support several of the specific Strategic Plan's Goals, as follows: Improve and promote customer service; Enhance financial stability; Become an environmentally sustainable community; and Provide efficient, visible and responsive public safety.

EXHIBITS:

- A. Public Works Department Monthly Activity Report – October 2012

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

**CITY OF COVINA
PUBLIC WORKS DEPARTMENT MONTHLY ACTIVITY REPORT
OCTOBER 2012**

DIVISION	ACTIVITY	QUANTITY
Water Utility	Meter replacements	163
	Consumer responses	1,100
	Backflow tests	4
	Flushed blow-offs	0
	Service line repair/replace	11
	Main line repair/replace	8
	Fire hydrants maintained	21
	Isolation valves exercised	8
	Dig alert responses	27
	Emergency call outs	7
Equipment Maintenance	Preventative Maintenance service	51
	Safety inspections	55
	Daily demand repairs	117
	Tire repairs	24
	Major repairs over \$1000	5
	Emergency call outs	20
Street Maintenance	Traffic sign remove/replace/install	250
	Potholes repaired	57
	Grind sidewalk	169
	Ramp sidewalk	3
	Curb painted (LF)	150
	Illegally dumped items picked up (LBS.)	2,000
	Utility cuts repaired	0
	Trees trimmed	31
	Trees removed	0
Emergency call outs	4	
Environmental Services	Used oil containers distributed	151
	Compost bins distributed	3
	NPDES violations investigated	1
	NPDES Permit Inspections	0
	Waste management consumer contacts	0
	Industrial Waste Permit Inspections	0
	Plans checked for environmental compliance	16
	Environmental legislation & regulations reviewed	3
	Special Waste collection events promoted	5
Engineering	Permits issued	29
	Inspections conducted	39
	Complaint responses	1
	Jobsite meetings	5
	Plan checks conducted	25
	Document research requests	12
	Value of plans prepared	0
Building Maintenance	Service requests completed	19
	Facility heat/air conditioning repairs	3
	Facility lighting/electrical repairs	4
	Emergency call outs	1

**CITY OF COVINA
PUBLIC WORKS DEPARTMENT MONTHLY ACTIVITY REPORT
OCTOBER 2012**

DIVISION	ACTIVITY	QUANTITY
Transportation	Bus passes sold	37
	Covina Transit total passengers	2,064
	Covina Transit on time performance	99.37%
	Covina Transit passengers per rev hr	3.15
	Metrolink monthly permits sold	842
	Metrolink machine revenue	\$2,936.10
	Municipal Lots monthly permits sold	\$183
Code Enforcement	Number of Inspections	765
	Number of signs pulled from public right-of-way	57
	Number of resolved cases	49
	Number of open cases	301
	Industrial waste cases open	45
	Total homes in foreclosure	191
	Trash Can violations	2
Building & Safety	Pre/Post permit counter visits	177
	Pre/Post Activity (hours)	26.55
	Permits issued	79
	Inspections conducted	384
	Plan checks conducted	40
	Permit valuation	\$486,626
Sewer Maintenance	Manholes inspected	208
	Linear feet of main cleaned	69,720
	Hot-spot locations cleaned	33
	Sewer overflow responses	0
	Manholes treated for vermin infestation	35
	Manholes treated for rodent infestation	4
Routine pump station checks	31	
Special Activities of Note	Light bulbs changed out to energy eff. at City Hall	600
	Ballasts changed out to energy efficient at City Hall	250
	Large traffic accident clean up in downtown	1
	Sidewalk brick repair (number of locations)	8

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: CC 8

STAFF SOURCE: Dilu De Alwis, Finance Director 

ITEM TITLE: Payment of Demands

STAFF RECOMMENDATION:

Approve Payment of Demands in the amount of: **\$5,349,595.80**

BACKGROUND:

Attached list of warrants, demands, which are being presented for approval for September 2012 are summarized as follows:

<u>DATE OF DEMANDS</u>		<u>DEMAND NUMBERS</u>	<u>AMOUNT</u>
ACCOUNTS PAYABLE WARRANTS			
September, 2012	Wires/EFTs	4065-4066	
September, 2012	Checks	56791-57300	\$4,614,464.36

PAYROLL

SEPTEMBER 13, 2012 PAYROLL & TAXES	\$567,141.98
SEPTEMBER 27, 2012 PAYROLL & TAXES	\$620,433.54
SEPTEMBER 28, 2012 RETURN OF OVER TRANSFER IN AUGUST	(297,444.60)

VOIDS

September, 2012 VOIDS	55157	(400.00)
	56619	(16.00)
	3160,3185,3186,3187,3189, 3226,3235,3242,3245	(625.00)
	1623	(14.46)
	174,178,182,291,292,297, 317,321,348,351,381,405	(441.62)
	55570,55571	(970.00)
	3499,3539	(71.06)
	1998	(40,896.56)
	2480	(41,173.83)
	2812,3061,3427	(125,878.47)

WORKERS COMPENSATION

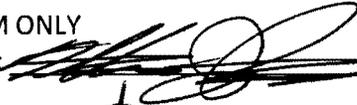
September 17, 2012	Week ending 9/5/12	\$2,893.56
September 17, 2012	Week ending 9/12/12	\$6,439.41
September 19, 2012	Week ending 9/19/12	\$46,154.55

GRAND TOTAL: \$5,349,595.80

RELEVANCE TO STRATEGIC PLAN: Not applicable

EXHIBITS:

A. Accounts Payable Register

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

CITY OF COVINA
Check Register
SEPTEMBER 2012

Check #	Check Date	Vendor	Name	Amount
4065	09/17/2012	2955	US BANK	621,995.72
4066	09/30/2012	279	BANK OF NEW YOR	955,613.97
56791	09/05/2012	819	CSAC-EIA	3,094.02
56792	09/05/2012	2234	PERS	129,472.50
56793	09/05/2012	2936	UNION BANK OF C	0.00
56794	09/05/2012	3	12 MILES OUT.CO	1,200.00
56795	09/05/2012	11	A & B ELECTRIC	52,292.70
56796	09/05/2012	3670	AA EQUIPMENT	603.69
56797	09/05/2012	26	ABSOLUTE SECURI	5,810.40
56798	09/05/2012	51	ADVANCED BATTER	86.95
56799	09/05/2012	3674	AES	400.00
56800	09/05/2012	82	AIR-BREE HEATIN	592.85
56801	09/05/2012	84	AIRGAS-WEST	216.10
56802	09/05/2012	86	AKEY, MARJORIE	60.20
56803	09/05/2012	91	ALAS, NINA	119.00
56804	09/05/2012	155	AMERICAN PUBLIC	205.00
56805	09/05/2012	158	AMERICAN TRAFFI	16,185.00
56806	09/05/2012	173	ANDY'S WELDING	400.00
56807	09/05/2012	206	ASCAP	324.58
56808	09/05/2012	219	AT&T	358.58
56809	09/05/2012	219	AT&T	67.29
56810	09/05/2012	220	AT&T LONG DISTA	14.56
56811	09/05/2012	226	ATLAS SPRING CO	417.54
56812	09/05/2012	254	AZUSA LIGHT & W	4,233.38
56813	09/05/2012	305	BC CONTINENTAL	652.43
56814	09/05/2012	341	BEST BEST & KRI	43,257.51
56815	09/05/2012	345	BETHKE, BETTY J	138.83
56816	09/05/2012	448	C & W ENTERPRIS	433.44
56817	09/05/2012	475	CALIBER POOL AN	5,975.62
56818	09/05/2012	516	CANON BUS SOLUT	1,109.38
56819	09/05/2012	566	CASTRUITA, MICH	8.00
56820	09/05/2012	580	CCAC	0.00
56821	09/05/2012	600	CERTIFIED UNDER	264.22
56822	09/05/2012	617	CHARTER OAK GYM	1,817.55
56823	09/05/2012	1153	CITY OF GARDENA	60.00
56824	09/05/2012	1153	CITY OF GARDENA	60.00
56825	09/05/2012	676	CLEARs	400.00
56826	09/05/2012	700	COLLEY FORD	878.73
56827	09/05/2012	707	COMMERCIAL ELEC	2,824.00
56828	09/05/2012	710	COMMUNICATIONS	148.29
56829	09/05/2012	3235	COOK, SHAWNA	239.16
56830	09/05/2012	740	CORBIN, CLARA	742.00
56831	09/05/2012	783	COVINA WATER &	471.19

CITY OF COVINA
Check Register
SEPTEMBER 2012

56832	09/05/2012	792 CPOA	42.50
56833	09/05/2012	829 CURLEY, JOHN	376.50
56834	09/05/2012	862 DE ALWIS, DILU	34.09
56835	09/05/2012	871 DELACH, PEGGY	512.50
56836	09/05/2012	3663 DOVE DAY SCHOOL	153.50
56837	09/05/2012	947 DUNN EDWARDS CO	57.61
56838	09/05/2012	970 EDISON CO	53,997.84
56839	09/05/2012	3678 EMBASSY SUITES	218.25
56840	09/05/2012	3678 EMBASSY SUITES	218.25
56841	09/05/2012	1011 ESCOBEDO, JOSEP	147.00
56842	09/05/2012	1055 FEDEX	28.68
56843	09/05/2012	1098 FOSTER, DAVE	30.20
56844	09/05/2012	1162 GAUMER, TREVOR	76.50
56845	09/05/2012	1198 GLOBALSTAR LLC	42.24
56846	09/05/2012	1364 HOME DEPOT	280.95
56847	09/05/2012	1394 HYDRO CONNECTIO	148.29
56848	09/05/2012	1416 IMPERIAL NOTARY	189.00
56849	09/05/2012	1420 INDEPENDENT CIT	0.00
56850	09/05/2012	1421 INDEX PRODUCTS	296.11
56851	09/05/2012	1429 INLAND EMPIRE S	1,662.50
56852	09/05/2012	1463 J.G. TUCKER AND	93.53
56853	09/05/2012	3573 JEANNETTE DABNE	159.07
56854	09/05/2012	1483 JEECO MFG & SUP	95.65
56855	09/05/2012	3659 JMDIAZ	34,016.98
56856	09/05/2012	1545 KELLEY BLUE BOO	98.00
56857	09/05/2012	1547 KELLY PAPER CO	1,769.39
56858	09/05/2012	1561 KEYSTONE UNIFOR	2,013.04
56859	09/05/2012	1582 KNORR SYSTEMS I	1,056.23
56860	09/05/2012	1597 KYLE, PATRICIA	159.25
56861	09/05/2012	1638 LAM, LY CHOU	192.50
56862	09/05/2012	1646 LANGUAGE LINE S	17.86
56863	09/05/2012	1656 LARSEN, MICHAEL	110.25
56864	09/05/2012	1663 LAW ENFORCEMENT	55.00
56865	09/05/2012	1673 LAWSON PRODUCTS	343.18
56866	09/05/2012	3209 LAYNE, SHARON	149.33
56867	09/05/2012	1694 LEWIS ENGRAVING	208.81
56868	09/05/2012	1933 MISSION LINEN S	219.34
56869	09/05/2012	2038 NATIONAL RECREA	150.00
56870	09/05/2012	2061 NEWPORT FARMS I	20.30
56871	09/05/2012	3616 NICOLE SOLANO	51.17
56872	09/05/2012	2104 OFFICE DEPOT	49.85
56873	09/05/2012	99999 TCSA/South	25.00
56874	09/05/2012	99999 QIAN WANG	27.34
56875	09/05/2012	99999 DAVID JENSEN	54.99

CITY OF COVINA
Check Register
SEPTEMBER 2012

56876	09/05/2012	99999 JEONG PARK	72.53
56877	09/05/2012	99999 Res Care Inc.	335.00
56878	09/05/2012	2186 PAPER CUTS INC.	250.10
56879	09/05/2012	2189 PARADA, MIGUEL	1,506.40
56880	09/05/2012	3683 PARADISE PIER H	722.75
56881	09/05/2012	3677 PAUL MENDOZA MA	97.08
56882	09/05/2012	2243 PETERSON, GREGG	8.00
56883	09/05/2012	2265 PIPS TECHNOLOGY	1,000.00
56884	09/05/2012	2329 PUENTE READY MI	521.13
56885	09/05/2012	2345 QUILL	55.92
56886	09/05/2012	2426 REYNOLDS BUICK	76.63
56887	09/05/2012	3655 ROBERT WONG	115.50
56888	09/05/2012	2557 SANTA ANITA FAM	150.00
56889	09/05/2012	3624 SCCCA	40.00
56890	09/05/2012	2607 SERESINGHE, AJI	1,400.00
56891	09/05/2012	2612 SEVOLD, CHERYL	245.00
56892	09/05/2012	2620 SGV NEWSPAPER G	3,375.00
56893	09/05/2012	2712 SOUTHERN CA ASS	4,524.00
56894	09/05/2012	2737 STAPLES INC	135.36
56895	09/05/2012	3611 STYLZ DANCE STU	87.50
56896	09/05/2012	2818 TAVANNA	146.30
56897	09/05/2012	2839 THERMAL COMBUST	105.94
56898	09/05/2012	3583 THERMODYNE INTE	528.73
56899	09/05/2012	2846 THOMAS, TERRI	555.84
56900	09/05/2012	3671 TOM BENDER	42.00
56901	09/05/2012	2882 TOYOTA OF GLEND	121.04
56902	09/05/2012	2903 TRI-XECUTEX COR	80.00
56903	09/05/2012	2901 TRIFYTT SPORTS	3,556.25
56904	09/05/2012	2908 TRUJILLO WORDEN	196.00
56905	09/05/2012	2933 ULTRA-CHEM INC	868.32
56906	09/05/2012	2942 UNITED SITE SER	219.72
56907	09/05/2012	3682 UNIVERSITY OF T	795.00
56908	09/05/2012	2954 URBAN GRAFFITI	5,400.00
56909	09/05/2012	2958 US POSTMASTER	416.62
56910	09/05/2012	2966 V & V MANUFACTU	206.63
56911	09/05/2012	2969 VALLEY TROPHY	304.50
56912	09/05/2012	2999 VERIZON CALIFOR	68.99
56913	09/05/2012	3010 VILLARREAL, TIF	204.17
56914	09/05/2012	3187 WAGONER, PAMELA	303.34
56915	09/05/2012	3043 WARREN DISTRIBU	528.76
56916	09/05/2012	3082 WESTERN WATER W	4,373.27
56917	09/05/2012	3092 WHITE, SHELBY	297.60
56918	09/05/2012	3102 WILLDAN FINANCI	11,776.20
56919	09/05/2012	3102 WILLDAN FINANCI	18,992.10

CITY OF COVINA
Check Register
SEPTEMBER 2012

56920	09/05/2012	3117 WONDRIES FLEET	74,965.89
56921	09/05/2012	3137 Y TIRE SALES	121.84
56922	09/05/2012	3152 YWCA	1,604.90
56923	09/11/2012	3 12 MILES OUT.CO	1,200.00
56924	09/11/2012	11 A & B ELECTRIC	29,220.90
56925	09/11/2012	13 A-1 POWER SWEEP	600.00
56926	09/11/2012	14 A1 RENTALS	179.44
56927	09/11/2012	50 ADVANCED	1,430.10
56928	09/11/2012	96 ALBERTSONS GROC	221.77
56929	09/11/2012	145 AMC THEATRE	1,460.00
56930	09/11/2012	160 AMERICAN WEST C	400.00
56931	09/11/2012	219 AT&T	14.40
56932	09/11/2012	221 AT&T MOBILITY	1,183.16
56933	09/11/2012	254 AZUSA LIGHT & W	103.13
56934	09/11/2012	269 BAKER AND TAYLO	163.46
56935	09/11/2012	283 BANK OF THE WES	9,344.03
56936	09/11/2012	290 BARNES & NOBLE	975.00
56937	09/11/2012	411 BRODART CO	31.07
56938	09/11/2012	457 CA PARKS AND RE	170.00
56939	09/11/2012	475 CALIBER POOL AN	175.00
56940	09/11/2012	568 CAT SPECIALTIES	261.00
56941	09/11/2012	580 CCAC	175.00
56942	09/11/2012	649 CINTAS CORP #69	345.64
56943	09/11/2012	654 CITRUS CAR WASH	422.45
56944	09/11/2012	711 COMMUNITY ACTIO	720.00
56945	09/11/2012	766 COVINA DISPOSAL	184.58
56946	09/11/2012	862 DE ALWIS, DILU	225.00
56947	09/11/2012	880 DEMCO INC	23.87
56948	09/11/2012	3164 DIVERSIFIED PAR	33,237.24
56949	09/11/2012	970 EDISON CO	14,598.56
56950	09/11/2012	1055 FEDEX	5.74
56951	09/11/2012	1134 GALE CENGAGE LE	60.63
56952	09/11/2012	1204 GOLDEN STATE WA	325.64
56953	09/11/2012	1235 GRAINGER	209.56
56954	09/11/2012	1259 GROVER'S INTERI	1,647.38
56955	09/11/2012	1364 HOME DEPOT	384.33
56956	09/11/2012	1371 HOSE MAN INC, T	31.56
56957	09/11/2012	1394 HYDRO CONNECTIO	123.39
56958	09/11/2012	1428 INGRAM DIST GRO	57.04
56959	09/11/2012	1434 INTEGRA TEST	100.00
56960	09/11/2012	3569 KAPLAN	358.82
56961	09/11/2012	1572 KING, JOHN	382.82
56962	09/11/2012	3606 LAKESHORE	307.83
56963	09/11/2012	1650 LARA, LAURA	166.00

CITY OF COVINA
Check Register
SEPTEMBER 2012

56964	09/11/2012	1715 LIGHTNING OIL C	75.00
56965	09/11/2012	1729 LONG BEACH BMW	391.39
56966	09/11/2012	1754 LOWE'S COMPANIE	20.62
56967	09/11/2012	3681 MARIPOSA GRILL	5,598.77
56968	09/11/2012	1933 MISSION LINEN S	72.76
56969	09/11/2012	1993 MPLC	305.62
56970	09/11/2012	3563 NEWEGG INC	735.13
56971	09/11/2012	2061 NEWPORT FARMS I	492.60
56972	09/11/2012	2104 OFFICE DEPOT	910.53
56973	09/11/2012	99999 AIDEE GONZALEZ	63.27
56974	09/11/2012	99999 MARTIN L KULLMAN	217.49
56975	09/11/2012	2198 PARRISH, DARYL	49.00
56976	09/11/2012	3685 PARS US BANK	4,324.96
56977	09/11/2012	3534 Psychological C	700.00
56978	09/11/2012	2434 RICE/ENGLANDER	3,000.00
56979	09/11/2012	2480 ROMO PLANNING G	402.50
56980	09/11/2012	2509 S & S PORTABLE	141.38
56981	09/11/2012	2546 SAN GABRIEL VAL	180.00
56982	09/11/2012	2648 SIEMENS BUILDIN	2,753.25
56983	09/11/2012	2676 SMART AND FINAL	143.11
56984	09/11/2012	3245 SO CAL REMODELI	500.00
56985	09/11/2012	2714 SOUTHERN CA GAS	575.00
56986	09/11/2012	2737 STAPLES INC	19.56
56987	09/11/2012	2796 SYNTECH	2,003.27
56988	09/11/2012	2855 TIME WARNER CAB	145.12
56989	09/11/2012	2868 TONER DEPOT	1,456.02
56990	09/11/2012	2903 TRI-XECUTEX COR	90.00
56991	09/11/2012	2933 ULTRA-CHEM INC	870.83
56992	09/11/2012	2958 US POSTMASTER	414.73
56993	09/11/2012	2964 UTILITY BOARD S	585.00
56994	09/11/2012	2999 VERIZON CALIFOR	129.99
56995	09/11/2012	3006 VIDEO STORE SHO	113.52
56996	09/11/2012	3037 WALMART	1,900.00
56997	09/11/2012	3068 WELLS FARGO FIN	166.45
56998	09/11/2012	3070 WEST COAST ARBO	163.80
56999	09/11/2012	3077 WEST LITE SUPPL	23,996.68
57000	09/18/2012	3645 1ST ENTERPRISE	20,431.25
57001	09/18/2012	11 A & B ELECTRIC	99.00
57002	09/18/2012	26 ABSOLUTE SECURI	5,288.45
57003	09/18/2012	32 ACE-1 AUTO SERV	122.20
57004	09/18/2012	48 ADS DOOR AND GA	60.00
57005	09/18/2012	84 AIRGAS-WEST	295.16
57006	09/18/2012	129 ALLIED AIR COND	1,376.92
57007	09/18/2012	3628 AMERICAN PERSPE	706.00

CITY OF COVINA
Check Register
SEPTEMBER 2012

57008	09/18/2012	155 AMERICAN PUBLIC	205.00
57009	09/18/2012	183 AQUA-METRIC SAL	1,048.50
57010	09/18/2012	255 AZUSA PLUMBING	11.85
57011	09/18/2012	269 BAKER AND TAYLO	106.80
57012	09/18/2012	292 BARR LUMBER COM	179.44
57013	09/18/2012	339 BERT'S MEGA MAL	21.73
57014	09/18/2012	3646 BLACK AND WHITE	272.51
57015	09/18/2012	380 BOOK WHOLESALER	192.04
57016	09/18/2012	430 BUILDING ELECTR	75.00
57017	09/18/2012	477 CALIF, STATE OF	24,262.96
57018	09/18/2012	516 CANON BUS SOLUT	688.79
57019	09/18/2012	536 CARQUEST AUTO P	341.83
57020	09/18/2012	600 CERTIFIED UNDER	25.18
57021	09/18/2012	618 CHARTER OAK HAR	7.60
57022	09/18/2012	634 CHEVRON PRODUCT	136.54
57023	09/18/2012	649 CINTAS CORP #69	172.82
57024	09/18/2012	653 CITRUS AUTO UPH	114.81
57025	09/18/2012	654 CITRUS CAR WASH	47.96
57026	09/18/2012	3688 CITY OF TEMPLE	70.00
57027	09/18/2012	700 COLLEY FORD	572.82
57028	09/18/2012	734 CONTROL AUTOMAT	6,702.00
57029	09/18/2012	737 COOPERATIVE PER	630.00
57030	09/18/2012	766 COVINA DISPOSAL	80.30
57031	09/18/2012	771 COVINA IRRIGATI	304,732.00
57032	09/18/2012	777 COVINA RENTS	478.48
57033	09/18/2012	783 COVINA WATER &	1,062.30
57034	09/18/2012	788 COVINA, CITY OF	4,508.86
57035	09/18/2012	896 DH MAINTENANCE	5,996.28
57036	09/18/2012	3164 DIVERSIFIED PAR	36,886.38
57037	09/18/2012	970 EDISON CO	38,507.30
57038	09/18/2012	971 EDS AUTO PARTS	50.57
57039	09/18/2012	1055 FEDEX	31.30
57040	09/18/2012	1075 FLEET SERVICES	264.43
57041	09/18/2012	1089 FOOTHILL PRESBY	25.00
57042	09/18/2012	1156 GAS COMPANY, TH	617.39
57043	09/18/2012	1190 GLENDORA DODGE	16.07
57044	09/18/2012	3242 GLUEPLACE.COM	140.05
57045	09/18/2012	1211 GONZALES, CARLO	127.50
57046	09/18/2012	1235 GRAINGER	4,485.94
57047	09/18/2012	1241 GRAND PRINTING	214.06
57048	09/18/2012	1276 HACH CO	504.17
57049	09/18/2012	1277 HAEBE, CYNTHIA	1,897.50
57050	09/18/2012	3669 HAMILTON & ASSO	5,550.75
57051	09/18/2012	3687 HILTON DEL MAR	704.84

CITY OF COVINA
Check Register
SEPTEMBER 2012

57052	09/18/2012	1364 HOME DEPOT	2,413.11
57053	09/18/2012	1369 HORIBA INTERNAT	206.80
57054	09/18/2012	1371 HOSE MAN INC, T	112.80
57055	09/18/2012	1389 HUNTINGTON COUR	633.14
57056	09/18/2012	1394 HYDRO CONNECTIO	290.61
57057	09/18/2012	1428 INGRAM DIST GRO	108.60
57058	09/18/2012	1430 INLAND WATER WO	2,393.81
57059	09/18/2012	1437 INTER-CON SECUR	5,330.33
57060	09/18/2012	1442 INTER-VALLEY PO	130.46
57061	09/18/2012	1441 INTERSTATE BATT	88.70
57062	09/18/2012	1530 JUSTICE, STEVE	200.00
57063	09/18/2012	1531 JW LOCK CO INC	216.58
57064	09/18/2012	1561 KEYSTONE UNIFOR	506.62
57065	09/18/2012	1571 KING BOLT CO	24.71
57066	09/18/2012	1580 KMART STORE 428	50.00
57067	09/18/2012	1614 LA CNTY FIRE DE	659,995.45
57068	09/18/2012	1637 LAKIN TIRE WEST	220.60
57069	09/18/2012	1646 LANGUAGE LINE S	16.92
57070	09/18/2012	1691 LEVEL 3 COMMUNI	1,077.25
57071	09/18/2012	1694 LEWIS ENGRAVING	130.50
57072	09/18/2012	1696 LEWIS SAW AND L	9.73
57073	09/18/2012	1748 LOS ANGELES TIM	180.00
57074	09/18/2012	1754 LOWE'S COMPANIE	44.90
57075	09/18/2012	1758 LUQUE, OSCAR	112.55
57076	09/18/2012	1778 MADRID, VICKI	20.00
57077	09/18/2012	1911 Micro-Tig	150.00
57078	09/18/2012	1933 MISSION LINEN S	326.05
57079	09/18/2012	2027 NAPA AUTO PARTS	53.27
57080	09/18/2012	2036 NATIONAL NOTARY	59.00
57081	09/18/2012	2061 NEWPORT FARMS I	200.95
57082	09/18/2012	2091 O REILLY AUTO P	23.11
57083	09/18/2012	2104 OFFICE DEPOT	472.98
57084	09/18/2012	99999 LILLIAN A ENDER-PALME	5.99
57085	09/18/2012	99999 ROBERTA BAKER	7.13
57086	09/18/2012	99999 DONNA DANCE	9.02
57087	09/18/2012	99999 LESLIE J ALDANA	15.00
57088	09/18/2012	99999 HSIU-CHEN LUTZ-PAAP	19.60
57089	09/18/2012	99999 MICHAEL WAGONER	24.00
57090	09/18/2012	99999 LUCIA L LOPEZ-PLUNKET	24.49
57091	09/18/2012	99999 ERA YES REAL ESTATE	38.76
57092	09/18/2012	99999 CHRIS LONTOK	45.00
57093	09/18/2012	99999 KATHRYN BARKER	60.90
57094	09/18/2012	99999 GRACE CHEN	67.92
57095	09/18/2012	99999 VANESSA KOEHL	75.00

CITY OF COVINA
Check Register
SEPTEMBER 2012

57096	09/18/2012	99999 GRADY GARIBAY	80.00
57097	09/18/2012	99999 DANIEL PEREZ	94.00
57098	09/18/2012	99999 JUANA FRANCISCA DONI	94.00
57099	09/18/2012	99999 MICHAEL DOMINGUEZ	94.00
57100	09/18/2012	99999 MIGUEL DELGADO	94.00
57101	09/18/2012	99999 JOSE GUADALUPE DE LA	94.00
57102	09/18/2012	99999 ROBERT CONTRERAS	94.00
57103	09/18/2012	99999 JERARDO MARTINEZ MIF	101.00
57104	09/18/2012	99999 TOM HAYS	101.00
57105	09/18/2012	99999 ANTHONY BRYANT	101.00
57106	09/18/2012	99999 PAUL LEE	162.00
57107	09/18/2012	3641 PACIFIC HYDROTE	388,193.75
57108	09/18/2012	2199 PARS	521.40
57109	09/18/2012	2277 POLLARDWATER DO	268.12
57110	09/18/2012	2303 PRIORITY MAILIN	353.10
57111	09/18/2012	2345 QUILL	118.48
57112	09/18/2012	2389 RC KEMP CONSULT	1,320.00
57113	09/18/2012	2426 REYNOLDS BUICK	97.68
57114	09/18/2012	2557 SANTA ANITA FAM	110.00
57115	09/18/2012	2676 SMART AND FINAL	62.15
57116	09/18/2012	3637 SO CAL TURF AND	4,849.92
57117	09/18/2012	2705 SOUTH COAST AQM	299.36
57118	09/18/2012	2711 SOUTHEAST CONST	41.98
57119	09/18/2012	2716 SOUTHERN CALIFO	270.00
57120	09/18/2012	2725 SPIESS CONSTRUC	13,414.00
57121	09/18/2012	2737 STAPLES INC	26.58
57122	09/18/2012	2737 STAPLES INC	201.39
57123	09/18/2012	2781 SURETECK INDUST	3,745.60
57124	09/18/2012	2804 TAG AMS INC	65.00
57125	09/18/2012	2839 THERMAL COMBUST	111.47
57126	09/18/2012	2877 TOSHIBA BUSINES	90.80
57127	09/18/2012	2907 TRUGREEN LANDSC	8,772.49
57128	09/18/2012	2935 UNDERGROUND SER	73.50
57129	09/18/2012	2954 URBAN GRAFFITI	5,400.00
57130	09/18/2012	2958 US POSTMASTER	553.26
57131	09/18/2012	2999 VERIZON CALIFOR	1,185.03
57132	09/18/2012	3001 VERIZON WIRELES	4,802.75
57133	09/18/2012	3023 VULCAN MATERIAL	1,409.64
57134	09/18/2012	3043 WARREN DISTRIBU	19.15
57135	09/18/2012	3064 WELLDYNERX	21.91
57136	09/18/2012	3070 WEST COAST ARBO	95.00
57137	09/18/2012	3082 WESTERN WATER W	1,288.47
57138	09/18/2012	3134 XEROX CORPORATI	23.10
57139	09/24/2012	68 AFLAC ACCT# YQ7	3,530.81

CITY OF COVINA
Check Register
SEPTEMBER 2012

57140	09/24/2012	68 AFLAC ACCT# YQ7	28.00
57141	09/24/2012	69 AFSCME	960.00
57142	09/24/2012	487 CalPERS	61,044.64
57143	09/24/2012	775 COVINA POLICE A	4,180.00
57144	09/24/2012	789 COVINA-FSA, CIT	1,770.00
57145	09/24/2012	819 CSAC-EIA	4,575.40
57146	09/24/2012	819 CSAC-EIA	1,550.46
57147	09/24/2012	878 DELTA DENTAL OF	7,161.75
57148	09/24/2012	1247 GREAT WEST LIFE	4,922.50
57149	09/24/2012	1307 HARTFORD LIFE I	9.67
57150	09/24/2012	1405 ICMA RETIREMENT	6,323.91
57151	09/24/2012	1405 ICMA RETIREMENT	845.47
57152	09/24/2012	2033 NATIONWIDE RETI	3,057.88
57153	09/24/2012	3685 PARS US BANK	2,784.28
57154	09/24/2012	2234 PERS	121,765.67
57155	09/24/2012	2235 PERS LONG TERM	252.92
57156	09/24/2012	3668 SHERIFF'S DEPAR	213.15
57157	09/24/2012	2936 UNION BANK OF C	0.00
57158	09/24/2012	2946 UNITED WAY OF G	17.50
57159	09/24/2012	3014 VISION SERVICE	584.24
57160	09/24/2012	3045 WASHINGTON NATI	250.99
57161	09/25/2012	32 ACE-1 AUTO SERV	199.00
57162	09/25/2012	58 ADVANTAGE	8,612.44
57163	09/25/2012	117 ALL STAR SPORTS	630.40
57164	09/25/2012	160 AMERICAN WEST C	75.00
57165	09/25/2012	173 ANDY'S WELDING	350.00
57166	09/25/2012	219 AT&T	156.49
57167	09/25/2012	219 AT&T	919.64
57168	09/25/2012	225 ATKINSON, ANDEL	2,410.61
57169	09/25/2012	248 AYCOCK, RICHARD	454.29
57170	09/25/2012	269 BAKER AND TAYLO	348.44
57171	09/25/2012	282 BANK OF THE WES	9,042.20
57172	09/25/2012	3646 BLACK AND WHITE	225.77
57173	09/25/2012	380 BOOK WHOLESALER	117.95
57174	09/25/2012	411 BRODART CO	46.41
57175	09/25/2012	500 CALPERS EDUCATI	300.00
57176	09/25/2012	600 CERTIFIED UNDER	415.04
57177	09/25/2012	649 CINTAS CORP #69	172.82
57178	09/25/2012	656 CITRUS VALLEY F	76.13
57179	09/25/2012	679 CLEVA TECHNOLOG	454.00
57180	09/25/2012	700 COLLEY FORD	201.64
57181	09/25/2012	3600 COMMERCIAL DOOR	359.00
57182	09/25/2012	707 COMMERCIAL ELEC	1,063.89
57183	09/25/2012	710 COMMUNICATIONS	270.00

CITY OF COVINA
Check Register
SEPTEMBER 2012

57184	09/25/2012	749 COUNSELING TEAM	1,320.00
57185	09/25/2012	783 COVINA WATER &	864.74
57186	09/25/2012	819 CSAC-EIA	18.08
57187	09/25/2012	849 DAPEER ROSENBLI	7,767.85
57188	09/25/2012	875 DELL MARKETING	11,664.43
57189	09/25/2012	878 DELTA DENTAL OF	424.40
57190	09/25/2012	889 DESILVA, ANURA	2,500.00
57191	09/25/2012	896 DH MAINTENANCE	95.00
57192	09/25/2012	970 EDISON CO	1,799.54
57193	09/25/2012	1012 ESGIL CORPORATI	655.76
57194	09/25/2012	1055 FEDEX	20.57
57195	09/25/2012	1089 FOOTHILL PRESBY	1,601.26
57196	09/25/2012	1156 GAS COMPANY, TH	538.97
57197	09/25/2012	1203 GOLDEN STATE OV	38.06
57198	09/25/2012	1235 GRAINGER	269.75
57199	09/25/2012	1241 GRAND PRINTING	976.58
57200	09/25/2012	1320 HEAVISIDE, MART	40.42
57201	09/25/2012	1364 HOME DEPOT	461.95
57202	09/25/2012	1369 HORIBA INTERNAT	330.33
57203	09/25/2012	1394 HYDRO CONNECTIO	51.30
57204	09/25/2012	3549 HYPER ELECTRIC	52,420.50
57205	09/25/2012	1428 INGRAM DIST GRO	56.83
57206	09/25/2012	1429 INLAND EMPIRE S	955.00
57207	09/25/2012	3692 INTOXIMETERS IN	103.40
57208	09/25/2012	3250 KEENAN & ASSOCI	9,750.00
57209	09/25/2012	1561 KEYSTONE UNIFOR	120.12
57210	09/25/2012	1571 KING BOLT CO	8.43
57211	09/25/2012	1578 KLYMKIW, MARIE	50.00
57212	09/25/2012	1609 LA CNTY COUNTY	8,608.40
57213	09/25/2012	1614 LA CNTY FIRE DE	1,936.00
57214	09/25/2012	1617 LA CNTY REGISTR	16.00
57215	09/25/2012	1617 LA CNTY REGISTR	16.00
57216	09/25/2012	1619 LA CNTY SHERIFF	890.00
57217	09/25/2012	1707 LIEBERT CASSIDY	1,234.00
57218	09/25/2012	1908 MICHAEL J O'DAY	150.00
57219	09/25/2012	1933 MISSION LINEN S	82.35
57220	09/25/2012	1991 MOTOROLA	165,386.25
57221	09/25/2012	2027 NAPA AUTO PARTS	52.68
57222	09/25/2012	2036 NATIONAL NOTARY	33.00
57223	09/25/2012	3563 NEWEGG INC	519.10
57224	09/25/2012	2061 NEWPORT FARMS I	339.95
57225	09/25/2012	2091 O REILLY AUTO P	40.27
57226	09/25/2012	2101 OCLC/FOREST PRE	1,112.05
57227	09/25/2012	2104 OFFICE DEPOT	150.32

CITY OF COVINA
Check Register
SEPTEMBER 2012

57228	09/25/2012	99999 BARBARA WHITE	4.33
57229	09/25/2012	99999 JUDITH BARELATA	4.65
57230	09/25/2012	99999 MERTON MANGOLD	10.00
57231	09/25/2012	99999 ELLEN HOOVER	10.85
57232	09/25/2012	99999 RON MANWILL	14.22
57233	09/25/2012	99999 MARK SIFUENTES	30.00
57234	09/25/2012	99999 CLIFFORD PAYNE	30.00
57235	09/25/2012	99999 ALDO SECAIDA	34.45
57236	09/25/2012	99999 INNS OF PACIFIC GROVE	35.30
57237	09/25/2012	99999 SIJIN YAN	45.00
57238	09/25/2012	99999 JENNY GONZALEZ	45.00
57239	09/25/2012	99999 JENNY GONZALEZ	45.00
57240	09/25/2012	99999 LIS DUCHAME	52.07
57241	09/25/2012	99999 ELISA ORTEGA	60.00
57242	09/25/2012	99999 MARTY RODRIGUEZ	60.42
57243	09/25/2012	99999 MARIA AMPUDIA	66.10
57244	09/25/2012	99999 CHRISTINA GARCIA	70.00
57245	09/25/2012	99999 LANNIE LEE	70.89
57246	09/25/2012	99999 YOLANDA ORTIZ	75.00
57247	09/25/2012	99999 SARAH MORENO	84.00
57248	09/25/2012	99999 CYNTHIA PETERSEN	89.00
57249	09/25/2012	99999 DAVID LERMA	94.00
57250	09/25/2012	99999 JON GREENE	94.00
57251	09/25/2012	99999 JADAR INC	99.00
57252	09/25/2012	99999 JULIANN OESTERLING	100.00
57253	09/25/2012	99999 SERGIO LERMA	101.00
57254	09/25/2012	99999 RICHARD FERNANDEZ	101.00
57255	09/25/2012	99999 DAVID BAIN	101.00
57256	09/25/2012	99999 BRANDEN SILERMAN	101.00
57257	09/25/2012	99999 JOSEPHINE BEVANDO	530.70
57258	09/25/2012	99999 OLSON COMPANY	850.00
57259	09/25/2012	2134 ORKIN PEST CONT	94.33
57260	09/25/2012	2166 PACIFIC STAMP &	39.55
57261	09/25/2012	2198 PARRISH, DARYL	18.99
57262	09/25/2012	2289 POWER MAINT COR	1,950.00
57263	09/25/2012	2309 PROFESSIONAL AC	538.00
57264	09/25/2012	2380 RANDOM HOUSE IN	10.88
57265	09/25/2012	2413 RENAISSANCE ESM	410.00
57266	09/25/2012	2415 REPUBLIC MASTER	102.87
57267	09/25/2012	2507 S & J SALES	3,027.50
57268	09/25/2012	3556 SACRA	2,514.00
57269	09/25/2012	3690 SANTA ANA COLLE	910.80
57270	09/25/2012	2619 SGV EXAMINER	759.96
57271	09/25/2012	2620 SGV NEWSPAPER G	1,293.88

CITY OF COVINA
Check Register
SEPTEMBER 2012

57272	09/25/2012	2676 SMART AND FINAL	79.00
57273	09/25/2012	3689 SOUTHWEST MOBIL	4,018.32
57274	09/25/2012	2719 SPARKLETTS	23.99
57275	09/25/2012	2737 STAPLES INC	307.23
57276	09/25/2012	2775 SUPERB GRAPHICS	606.50
57277	09/25/2012	2778 SUPERIOR PAVEME	9,565.20
57278	09/25/2012	2926 TYLER TECHNOLOG	952.66
57279	09/25/2012	2958 US POSTMASTER	562.27
57280	09/25/2012	3691 VALLEY COLLECTI	39.90
57281	09/25/2012	2999 VERIZON CALIFOR	1,613.69
57282	09/25/2012	3004 VICTORY EXTERMI	50.00
57283	09/25/2012	3014 VISION SERVICE	1.67
57284	09/25/2012	3043 WARREN DISTRIBU	371.71
57285	09/25/2012	3077 WEST LITE SUPPL	2,122.16
57286	09/25/2012	3078 WEST PAYMENT CE	149.60
57287	09/25/2012	3132 WRIGHT DESIGNS	43.50
57288	09/25/2012	3134 XEROX CORPORATI	92.94
57289	09/25/2012	3135 XO COMMUNICATIO	5,693.03
57290	09/25/2012	3152 YWCA	1,475.55
57291	09/27/2012	99999 CUIPING CAI	13.45
57292	09/27/2012	99999 COLETTE VASQUEZ	57.61
57293	09/27/2012	3685 PARS US BANK	120.00
57294	09/27/2012	2234 PERS	40,888.73
57295	09/27/2012	2234 PERS	52.00
57296	09/27/2012	2234 PERS	52.00
57297	09/27/2012	2234 PERS	40,844.56
57298	09/27/2012	2234 PERS	41,121.83
57299	09/27/2012	2234 PERS	44,221.19
57300	09/27/2012	2234 PERS	40,768.55
TOTAL			4,614,464.36

STATE OF CALIFORNIA)
) ss:
COUNTY OF LOS ANGELES)

I, Dilu De Alwis being first duly sworn, declare that I am the Finance Director of the City of Covina and have read the attached Register(s) of Audited Demands for the City of Covina dated Accounts Payable for September 2012; Payroll for 9/13/12, 9/27/12 and 9/28/12; Voids for September 2012, Workers Compensation for 9/17/12 and 9/19/12; know the contents thereof, and do CERTIFY as to the accuracy of the attached Demands and the availability of funds for their payment pursuant to the government Code, Section 37202.

Dilu De Alwis
Finance Director

Subscribed and sworn to before me

this 20th day of November, 2012



**SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY
AGENDA ITEM COMMENTARY**

MEETING DATE: November 20, 2012

ITEM NO.: CC 9

STAFF SOURCE: Dilu De Alwis, Finance Director *DA*

ITEM TITLE: Payment of Demands

STAFF RECOMMENDATION:

Approve Payment of Demands in the amount of **\$132,375.10**

BACKGROUND:

Attached list of warrants, demands, which are being presented for approval for September 2012 are summarized as follows:

<u>DATE OF DEMANDS</u>	<u>DEMAND NUMBERS</u>	<u>AMOUNT</u>
ACCOUNTS PAYABLE WARRANTS	675-686	\$75,971.10
 <u>PAYROLL</u>		
9/21/12 PAYROLL	PPE 8/16, 8/30, 9/13	\$13,947.78
9/21/12 PAYROLL INSURANCE	PPE 8/16, 8/30	\$1,488.13
9/27/12 PAYROLL INSURANCE	PPE 9/13/12	\$773.37
9/29/12 PAYROLL	6/29/12 Insurance adjustment	\$40,194.72

VOIDS

GRAND TOTAL: \$132,375.10

RELEVANCE TO STRATEGIC PLAN: Not applicable

EXHIBITS:

A. ACCOUNTS PAYABLE REGISTER

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY

Check Register

SEPT 2012

Check #	Check Date	Vendor	Name	Amount
675	09/10/2012	341	BEST BEST & KRI	5,069.50
676	09/10/2012	1287	HANEY'S LANDSCA	245.00
677	09/10/2012	2186	PAPER CUTS INC.	215.65
678	09/10/2012	2620	SGV NEWSPAPER G	500.00
679	09/10/2012	2942	UNITED SITE SER	68.01
680	09/18/2012	137	AL-SAL OIL COMP	7,333.33
681	09/18/2012	788	COVINA, CITY OF	37.00
682	09/18/2012	3001	VERIZON WIRELES	51.62
683	09/24/2012	282	BANK OF THE WES	352.87
684	09/24/2012	2452	RJS FINANCIAL	49,840.00
685	09/24/2012	2955	US BANK	12,045.99
686	09/24/2012	3135	XO COMMUNICATIO	212.13
			TOTAL	75,971.10

STATE OF CALIFORNIA)
) ss:
COUNTY OF LOS ANGELES)

I, Dilu De Alwis being first duly sworn, declare that I am the Finance Director of the City of Covina and have read the attached Register(s) of Audited Demands for the Covina Successor Agency to the Covina Redevelopment Agency dated Accounts Payable for September 2012; Payroll for 9/21/12, 9/27/12 and 9/29/12; know the contents thereof, and do CERTIFY as to the accuracy of the attached Demands and the availability of funds for their payment pursuant to the government Code, Section 37202.

Dilu De Alwis,
Finance Director

Subscribed and sworn to before me

this 20th day of November, 2012



CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: October 2, 2012

ITEM NO. CC 10

STAFF SOURCE: Dilu de Alwis, Finance Director 

ITEM TITLE: Receive and File 2nd Quarter 2012 Sales Tax Report.

STAFF RECOMMENDATION

City Council to receive and file 2nd Quarter 2012 Sales Tax Report.

FISCAL IMPACT

None

BACKGROUND

Sales tax results over the past six quarters have varied significantly. The following table depicts this variation;

		Quarter over Quarter Variance by % (unadjusted)	\$ Variance
1 st Quarter 2010	1 st Quarter 2011	2%	\$33,939
2 nd Quarter 2010	2 nd Quarter 2011	8%	\$132,442
3 rd Quarter 2010	3 rd Quarter 2011	9.2%	\$148,930
4 th Quarter 2010	4 th Quarter 2011	8.2%	\$136,132
1 st Quarter 2011	1 st Quarter 2012	8.9%	\$141,854
2 nd Quarter 2011	2 nd Quarter 2012	9.7%	\$177,824

Sales tax continues to track above the negative territory that the region experienced as recently as the 1st quarter of 2009. Covina has experienced high single digit gains since the 2nd quarter 2011. This is welcome news that the Covina economy is stabilizing and staff is cautiously optimistic that the coming quarters continue to show marginal growth. This is the 7th quarter in a row that the sales tax results have been positive. Autos & Transportation, Building & Construction and Fuel & Service Station categories contributed to push the sales tax upward while the Business & Industry category had a negative impact. The City is fortunate that it has well-balanced sales tax generators that offset one-another in down economies.

As a point of comparison, during the peak period of sales tax revenue (2st quarter 2007) the City received a total of \$2.3 million compared to the same quarter for 2012 sales tax of \$2.0 million, a negative variance of \$300,000 or 13%.

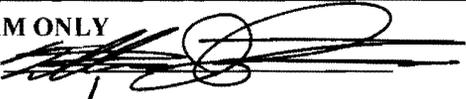
With the results shown in the table above our hope is that the economy continues to move in positive territory and the sales tax results return to the 2007 levels. Sales tax which makes up approximately 18% of the General Fund budget is a key funding source for many programs including Public Safety and Culture and Recreation. Stabilization of this revenue source will enable the City of Covina to continue to maintain the level of services currently in place.

RELEVENCE TO THE STRATEGIC PLAN

This informational item is in-line with the Long-Term Financial Stability component of the Strategic Plan under "Enhance Financial Stability".

EXHIBITS

- A. Covina Sales Tax Report
- B. Major Industry Groups 13 Quarter History

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

Q2 2012



City of Covina Sales Tax *Update*

Third Quarter Receipts for Second Quarter Sales (April - June 2012)

Covina In Brief

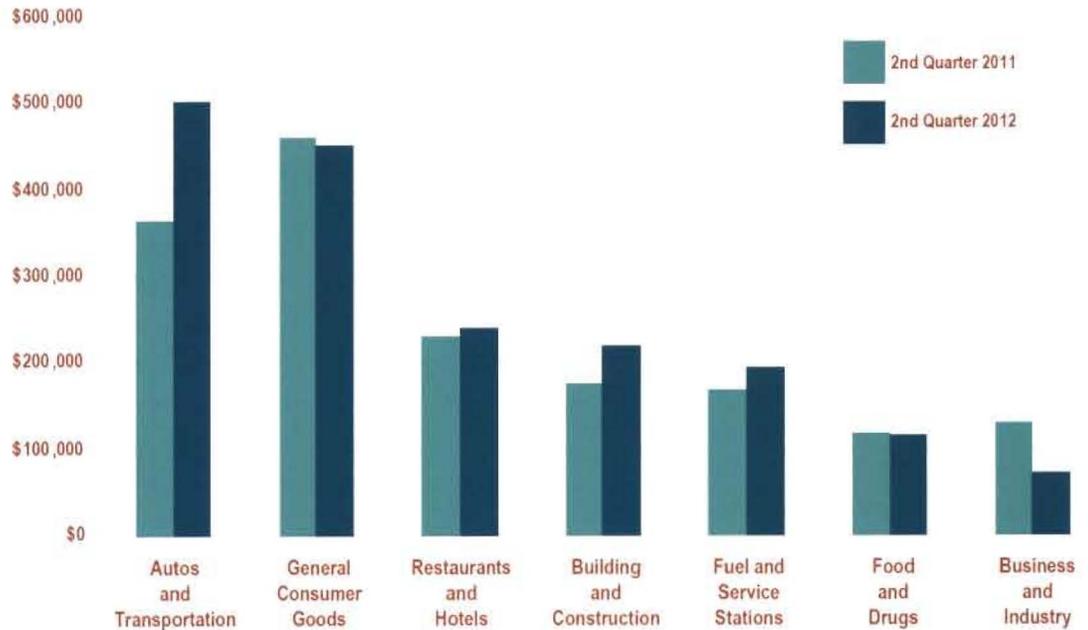
Receipts from Covina's April through June sales were 9.7% higher than the same quarter one year ago but reporting aberrations skewed the data. With anomalies removed, actual sales were up 15.7%.

The majority of increased receipts can be attributed to a recent business addition and a strong sales quarter from several categories of the autos and transportation group. A double payment temporarily increased revenues from the building and construction group while new service station openings further contributed to the gain. A larger allocation from the countywide use tax pool was also a factor.

The gains were partially offset by reporting problems that temporarily depressed results from the business and industry group.

Adjusted for aberrations, taxable sales for all of Los Angeles County increased 7.6% over the comparable time period, while the Southern California region as a whole was up 7.4%.

SALES TAX BY MAJOR BUSINESS GROUP



TOP 25 PRODUCERS

In Alphabetical Order

Azusa Shell	Med Legal
Berts Mega Mall	Reynolds GMC Trucks
Bozzani Volkswagen	Ross
Cleamans North Woods	Royal Custom Designs
Covina Valley Kia	Rude Dog Bar & Grill
Enterprise Rent A Car	Superior Super Warehouse
Harbor Freight Tools	Thomas Acura
Home Depot	Union 76
Ikea	Valero
Jerrys Auto Service & Gas	Vincent Arco
K Mart	Walgreens
Lowe's	Walmart
	World Oil

REVENUE COMPARISON

One Quarter – Fiscal Year To Date

	2011-12	2012-13
Point-of-Sale	\$1,649,476	\$1,795,976
County Pool	182,973	211,524
State Pool	(973)	1,800
Gross Receipts	\$1,831,476	\$2,009,300
Less Triple Flip*	\$(457,869)	\$(502,325)

*Reimbursed from county compensation fund

NOTES

Statewide Results

Net of payment aberrations, second quarter retail sales were 7.5% higher than the same period one year earlier.

Purchases of new automobiles, spurred by low interest rates, easy credit and manufacturers' incentives, outpaced first quarter growth and generated 22% of the total increase. Business-to-business sales reflected strength in a number of sectors, notably heavy industrial, business services and equipment for energy related projects. Restaurant and hotel receipts grew by 8.6%, outpacing all other industry groups except autos and transportation. Family apparel sales were strong but weak electronics/appliances returns and lackluster results from department stores and big box discounters held general consumer group gains to a modest 3.9%. Flattening fuel prices and ongoing weakness in lumber and building materials sales also restrained overall results.

Outlook for the Year

The momentum for the recovery is slowing and has recently prompted another round of "quantitative easing" by the Federal Reserve Board in an effort to reinvigorate the housing market and spur business investment by keeping interest rates low. Retail growth in California, which fell further than the nation as a whole during the "Great Recession," may outpace the nation going forward but stubborn unemployment, nearly static income levels, and cautious business spending will keep overall sales at moderate levels at least through 2014-15.

Sales Tax from On-line Retailers

AB 155, which was passed last year as a compromise with Amazon.com went into effect on September 15. While the bill expanded the state's ability to require the collection of tax

on out-of-state sales, local agencies expecting immediate revenue gains will be disappointed.

Federal case law continues to provide that remote sellers without nexus in a state are not required to collect that state's sales tax. Amazon agreed not to contest AB 155's definition of nexus which includes remote sellers who have annual sales in California of one million dollars or more and who have an in-state affiliate that provides services in connection with the remote seller's sales if those connected sales exceed \$10,000 per year.

The Board of Equalization's initial estimate was that the legislative change would raise approximately \$38.2 million in one-cent local revenues. However since then, Amazon which was a significant portion of the estimate has decided to build distribution facilities in California which will divert the revenues to the hosting jurisdictions. Other remote sellers, such as Overstock.com, have announced that

they will simply drop their in-state affiliates to avoid collecting the tax.

The Board of Equalization expects to add up to 100 staff positions over the next three years to enforce the new provisions. However, at least initially, local governments should not expect annual revenues of more than \$0.25 per capita and the ultimate solution continues to be federal legislation that eliminates the nexus prohibition and levels the playing field for all retailers.

SALES PER CAPITA



COVINA TOP 15 BUSINESS TYPES

Business Type	Covina		County	HdL State
	Q2 '12*	Change	Change	Change
Auto Repair Shops	40.0	6.2%	4.7%	5.0%
Automotive Supply Stores	29.8	0.7%	6.2%	8.1%
Boats/Motorcycles	— CONFIDENTIAL —	—	12.3%	14.6%
Discount Dept Stores	— CONFIDENTIAL —	—	2.6%	3.7%
Drug Stores	31.0	-0.7%	3.8%	3.4%
Grocery Stores Liquor	50.1	-7.3%	4.3%	4.2%
Hardware Stores	— CONFIDENTIAL —	—	7.3%	5.6%
Home Furnishings	193.2	6.0%	8.4%	7.1%
Lumber/Building Materials	177.6	31.8%	16.6%	20.5%
New Motor Vehicle Dealers	234.6	77.9%	20.4%	22.3%
Restaurants Beer And Wine	48.5	14.2%	1.4%	0.4%
Restaurants Liquor	42.0	-6.2%	11.8%	11.2%
Restaurants No Alcohol	143.4	5.1%	7.1%	8.0%
Service Stations	195.0	16.3%	1.0%	2.3%
Specialty Stores	30.7	-42.0%	2.3%	2.2%
Total All Accounts	\$1,796.0	8.9%	5.8%	6.7%
County & State Pool Allocation	213.3	17.2%		
Gross Receipts	\$2,009.3	9.7%		<i>*In thousands</i>

Sales Tax by Major Industry Group

Autos And Transportation

Count: 197

General Consumer Goods

Count: 771

Restaurants And Hotels

Count: 183

Fuel And Service Stations

Count: 19

Business And Industry

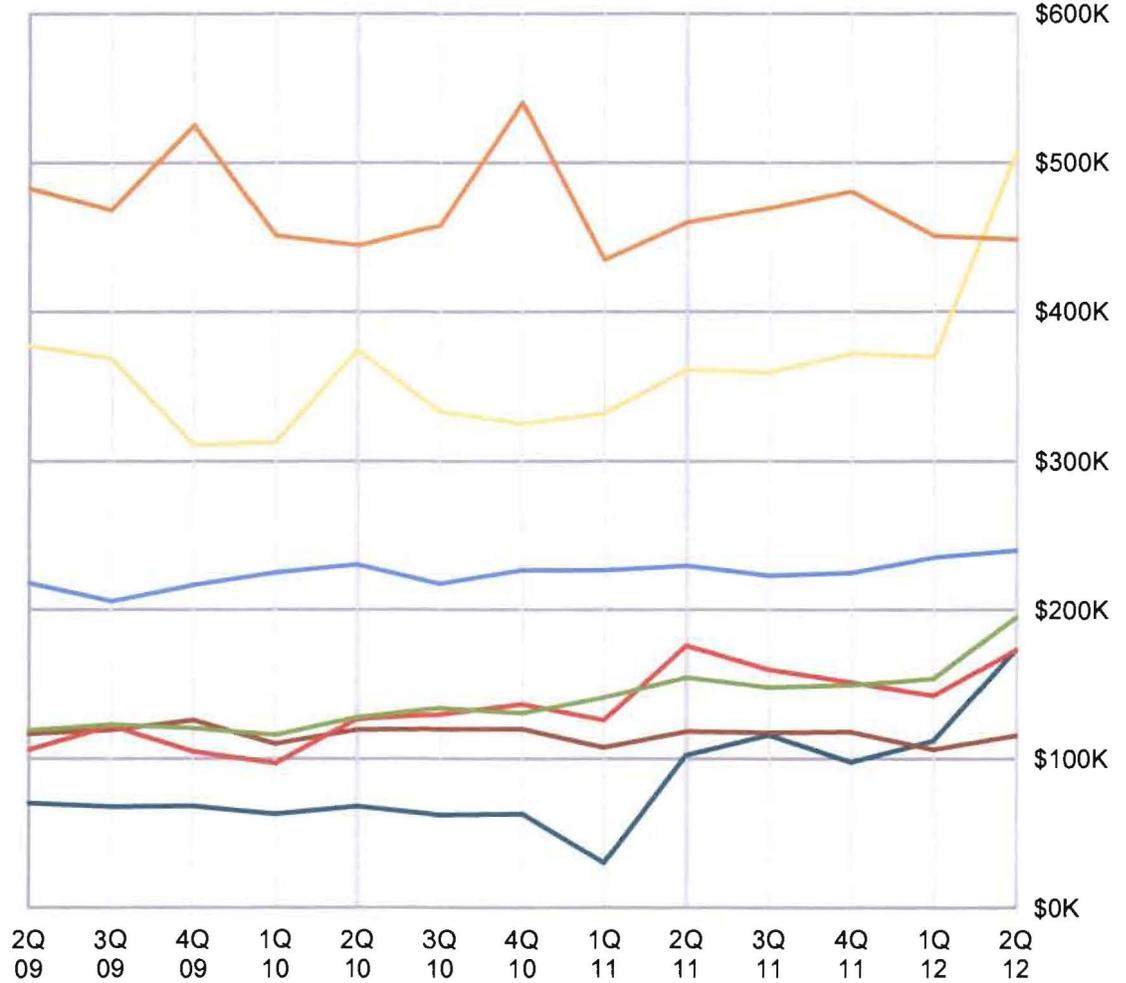
Count: 436

Building And Construction

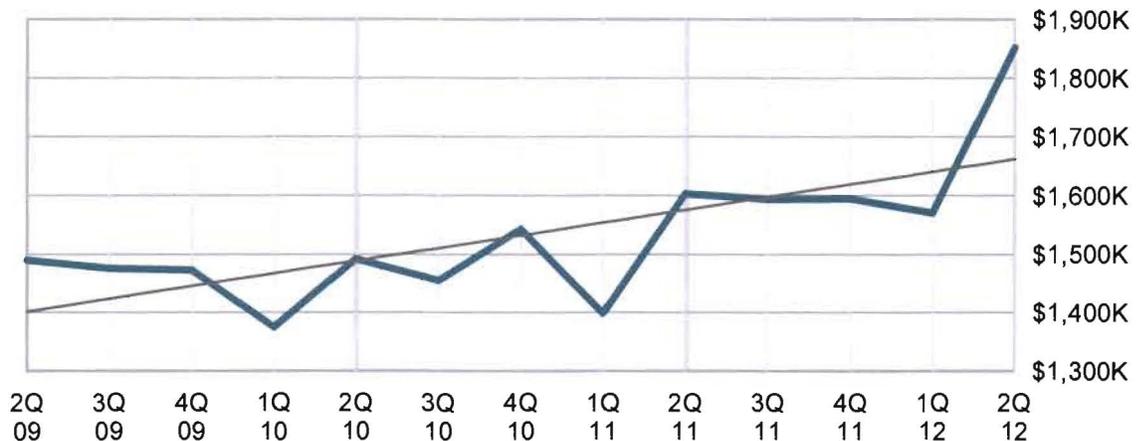
Count: 55

Food And Drugs

Count: 73



Agency Trend



Adjusted by moving retroactive payments into the quarter the sale occurred
Periods shown reflect the period in which the sales occurred - Point of Sale

CONFIDENTIAL INFORMATION - DO NOT COPY OR DISTRIBUTE WITHOUT AUTHORIZATION

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: CC 11

STAFF SOURCE: Marco A. Martinez, City Attorney
Anthony Arroyo, Director of Human Resources

ITEM TITLE: Amended & Restated Employment Agreement for City Manager Services with Daryl Parrish to Extend the Term of the Agreement and Implement Certain Reductions in Benefits

STAFF RECOMMENDATION:

That the City Council:

Approve an Amended & Restated Employment Agreement for City Manager Services with Daryl Parrish to June 30, 2013.

FISCAL IMPACT:

Some reductions in benefits will save the City money in case of termination without cause.

BACKGROUND/ANALYSIS:

In May of 2009, the City Council approved an Employment Agreement ("Agreement") for City Manager Daryl Parrish. That Agreement was extended earlier this year several times until November 30, 2012 with no increases in compensation. While the City Manager and the City are still negotiating certain changes to his retirement benefits in response to pension reform laws, the City Manager has proposed the following reductions to the benefits identified in the original Agreement:

1. Limited his use of a city-owned vehicle for official city purposes and incidental purposes only (to drive to his residence outside of the City of Covina on weekends periodically);
2. Reduced his severance payment (in case of termination without cause) from 12 months to 6 months;
3. Reduced the health insurance plan coverage for his family in case of termination without cause from 12 months to 6 months;
4. Made clear that he is entitled to a housing allowance equal to the actual rental amount of the unit he rents in Covina - up to \$1,000 per month (and not \$1,000 per month regardless of the rental amount).

5. Requires him to pay the entire employee's share of the PERS contribution (8%) - previously he was paying 7%.

If approved, these reductions would be implemented immediately. The Agreement also includes other minor revisions to make it consistent with previously approved benefit changes for all employees. The amended and restated agreement would be for a term that runs from November 30, 2012 until June 30, 2013. Prior to that date, it is expected that additional amendments to the City Manager's benefit package will be proposed. All other terms of the prior Agreement remain unchanged.

RELEVANCE TO THE STRATEGIC PLAN

None.

EXHIBITS

A. Amended & Restated Employment Agreement

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

**AMENDED & RESTATED EMPLOYMENT AGREEMENT
FOR
CITY MANAGER SERVICES**

THIS AMENDED & RESTATED EMPLOYMENT AGREEMENT FOR CITY MANAGER SERVICES is made and entered into this ____ day of _____ 2012, by and between the City of Covina, a California general law municipal corporation of the State of California, hereinafter referred to as "City" and Daryl Parrish hereinafter referred to as "Manager."

WITNESSETH

WHEREAS, the City desires to continue to employ the services of Daryl Parrish as City Manager of the City of Covina as provided by the Covina Municipal Code ("CMC") and State law; and

WHEREAS, it is the desire of the City Council of the City of Covina to extend the term of Manager's employment agreement and provide for certain amended benefits; and

WHEREAS, Manager desires to continue employment as the City Manager of the City of Covina and to accept the provisions of this Amended & Restated Employment Agreement.

NOW, THEREFORE, in consideration of the respective and mutual covenants hereinafter contained and made, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and agreed, and subject to all the terms and conditions hereof, City and Manager agree as follows:

Section 1: Appointment and Duties

A. The City Council of the City of Covina hereby appoints Daryl Parrish as City Manager of the City of Covina to perform those functions and duties specified in the Covina Municipal Code, and the Government Code of the State of California, and to perform such other legally permissible and proper duties and functions as the City Council shall from time to time assign during the time specified in this Agreement.

Section 2: Compensation

A. Salary

(1) Base Salary: The City shall pay Manager the annual base salary of Two Hundred Thirteen Thousand Four Hundred and Sixty Five Dollars (\$213,465.00) in installments paid at the same time and in the same manner as other executive employees of the City.

(2) Educational Incentive: The Base Salary shall be increased by the educational incentive (2.0%) in accordance with the 2008 Executive Compensation Rules.

B. Transportation. Manager shall have the exclusive use at all times during his employment with the City of an automobile provided by the City for City related business use and to commute between home and City Hall. Said automobile shall be a fully equipped sedan capable of seating at least five (5) adults, and shall display exempt license plates. The City shall be responsible for providing public liability, property damage, and comprehensive insurance in coverage amounts as determined by the City. The costs of such insurance premiums shall be borne by the City. The City shall be responsible for paying for the operation, repair, and maintenance of said automobile. The City understands that Manager will remain on-call at all times, and the vehicle may be used for incidental personal as well as official business. Manager further agrees to keep the vehicle clean and in respectable condition.

C. Leave Time.

(1) Sick Leave. Manager shall accrue and use Sick Leave on the same terms and conditions as executive personnel in accordance with the 2008 Executive Compensation Rules, as may be from time to time amended by the City Council.

(2) Administrative Leave. Manager shall accrue seventy-five (75) hours per year during the term of this Agreement. Manager shall not be entitled to cash out or carry over to any subsequent year any accrued, but unused, Administrative Leave at the end of each year.

(3) Vacation Leave. Manager shall accrue twenty (20) days of Vacation Leave (total 160 hours) during each year of the term of this Agreement up to the maximum of two times (2x) the annual earning allowance. Manager shall be compensated for unused and accrued Vacation Leave in excess of the maximum allowed in accordance with the 2008 Executive Compensation Rules, as may be from time to time amended by the City Council.

(4) Holiday Leave. Manager shall be entitled Holiday and Floating Holiday Leave in accordance with the 2008 Executive Compensation Rules, as may be from time to time amended by the City Council.

D. Miscellaneous Benefits.

(1) Manager shall be entitled to the same annual physical, long-term disability benefits, insurance benefits including, but not limited to, life, health, vision, and dental coverages, as provided other executive personnel (Department Heads) within the City's employ in effect as of the date of this Agreement and as they may be changed from time to time by the City Council.

Notwithstanding any provision to the contrary in this Agreement, City shall provide Manager a term life insurance policy up to \$100,000.00 limit and shall contribute \$990.00 per month toward the optional benefits plan available through the City.

E. Retirement Benefits.

(1) Manager shall receive a 2.5% @ 55 benefit with the California Public Employees' Retirement System ("CalPERS") as well as an enhancement through a supplemental plan adopted through PARS ("Enhanced Benefit") which will provide in combination with CalPERS a total benefit of 2.7% @ 55. In addition to paying the employer contribution required under

CalPERS and PARS with respect to the Enhanced Benefit, the City shall also pay the employee contribution required by PARS with respect to the Enhanced Benefit only. Manager shall pay the full CalPERS member contribution.

(2) Manager is deemed to be an “eligible retiree” as of the effective date of this Agreement as provided in Section 3, below. Upon retirement from the City of Covina directly into CalPERS, Manager shall be eligible to receive Supplemental Retiree Benefits, currently in the amount of \$472 per month, in the same manner as provided to other executive personnel in accordance with the 2008 Executive Compensation Rules as may from time to time be amended by the City Council. However, this provision shall not be effective if:

- a. This provision is prohibited by law and/or by the City's then medical insurers underwriting practice; or
- b. Manager becomes employed with another public agency or private entity subsequent to his employment with the City, but prior to retirement into CalPERS.

(3) City shall pay Manager Two Hundred Fifty Dollars (\$250.00) per month up to a maximum of \$3,000.00 per year towards Manager’s deferred compensation plan (457 plan).

F. City covenants to take such action as may be reasonably necessary to include all benefits to Manager hereunder during any fiscal year of City in its annual budget for such year and to make the necessary annual appropriations for all such benefits.

Section 3: Term; Notice of Termination; and Severance

A. Term and Extension. This Agreement shall be effective from November 30, 2012, through June 30, 2013, unless extended or terminated as provided herein.

B. Notice of Termination. Manager serves at the pleasure of the City Council and City Council reserves the right to terminate Manager and this Agreement upon the vote of a majority of the entire City Council in attendance at any lawfully called meeting. In any event, City shall provide Manager with thirty-(30) days notice of its decision to terminate this Agreement in accordance with , and as provided by the provisions of the Ralph M. Brown Act, California Government Code Section 54950 et seq., and in accordance with CMC Sections 2.08.080 and 2.08.090. Notwithstanding the provisions of CMC Sections 2.08.080 and 2.08.090, the Manager shall not be removed from office during or within a period of 90 days next succeeding any general municipal election held in the City, at which election a member of the city council is elected. After the expiration of such 90-day period, the provisions of CMC Sections 2.08.080 and 2.08.090 as to the removal of the city manager shall apply and be effective. Due to the important nature of Manager's duties to the City, if Manager terminates this Agreement, Manager must provide the City Council with thirty (30) days written notice prior to the date he ceases to perform his duties and responsibilities under this Agreement and the provisions of the City's Municipal Code.

C. Severance. In the event Manager is terminated other than for cause or disability by a majority vote of the entire City Council in attendance at any lawfully called meeting, City shall provide Manager with severance pay equal to six (6) months of the then current base salary.

Manager and his dependents shall also receive continuing health insurance plan coverage for a six (6) month period from the effective date of termination. Pursuant to California Government Code section 53261, the continuing eligibility of Manager and his dependents for such health insurance plan coverage shall terminate should Manager obtain other employment. Manager shall be compensated for any unused leave, holidays, and other benefits then accrued as provided in this Agreement.

D. Termination for Cause. In the event Manager is terminated because of his conviction of any illegal act involving a felony, personal gain, or moral turpitude, City shall have no obligation to pay the severance as set forth in subsection 3.C. above. In the event that Manager is under investigation for any of the foregoing reasons, the City may withhold part or all of such severance pay until it is determined if charges will be filed, and if charges are filed, until final judgment is rendered.

E. Termination as Including Salary Reduction. If at any time during the term of this Agreement, City reduces the salary or other financial benefits of Manager in an average (mean) percentage greater than that of other executive managers within City's employ, or in the event City refuses, following written notice, to comply with any provision benefiting Manager herein, or Manager resigns following a request that he resign made by a majority of the entire City Council in attendance at a lawfully called meeting, then Manager shall be deemed to be "terminated" as of the date of such reduction, refusal, or request within the meaning and context of Section 3.C herein.

F. Termination Based on Disability. In the event Manager is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity, or health reasons for a period of three consecutive months beyond any provided sick leave, the City may terminate this Agreement. Upon termination of the Agreement for the reasons stated in this paragraph, Manager's salary then in effect shall continue until six months have elapsed from the date of the incident or onset of illness giving rise to the disability or incapacity. The amount of salary shall be reduced by an amount equal to any disability insurance proceeds then being received by Manager.

Section 4: General Expenses

A. City agrees to budget reasonable sums for and to pay for professional dues and subscriptions of Manager necessary for continuation and full participation in national, regional, state, and local associations, and organizations necessary and desirable for Manager's continued professional participation, growth, and advancement, and for the good of City.

B. City agrees to budget reasonable sums for and, consistent with the City's reimbursement policy adopted pursuant to Assembly Bill 1234, as it may be amended from time to time, to pay for travel and subsistence expenses of Manager for professional and official travel, meetings, and occasions to adequately continue the professional development of Manager and to pursue necessary official functions for City, including but not limited to the ICMA Annual Conference, League of California Cities, and such other national, regional, state, and local governmental groups and committees in which Manager serves as a member.

C. City agrees to budget reasonable sums for and, consistent with the City's reimbursement policy adopted pursuant to Assembly Bill 1234, as it may be amended from time to time, to pay

for travel and subsistence expenses of Manager for short courses, institutes, and seminars that are necessary for Manager's professional development and for the good of City.

D. City recognizes that certain expenses of a non-personal but job related nature may be incurred by Manager, and agrees to reimburse or to pay reasonable general expenses consistent with the City's reimbursement policy adopted pursuant to Assembly Bill 1234, as it may be amended from time to time. The Finance Director is authorized to disburse such moneys upon receipt of duly executed expense or petty cash vouchers, receipts, statements or personal affidavits.

E. City acknowledges the value of having Manager participate and be directly involved in local civic clubs or organizations. Accordingly, City shall pay for the reasonable membership fees and/or dues to enable Manager to become an active member in local civic clubs or organizations.

Section 5: Housing Assistance

A. In order to facilitate Manager's duties and encourage Manager's participation in community events, City shall provide manager with a monthly rental subsidy for the purpose of paying the actual rent of property within the boundaries of the City of Covina. Manager shall live in the rental unit for a majority of the time he is in Covina. The rental subsidy shall be the actual monthly rental amount up to \$1,000 per month.

Section 6: Indemnification

A. City agrees to defend, hold harmless, and indemnify Manager against any tort, professional liability claims or demand, or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Manager's duties. City, at its discretion, is not required to indemnify Manager for any illegal acts committed by Manager.

Section 7: Performance Review

A. City Council agrees to provide, prepare, and participate in reviews of Manager's performance. The objective of such review shall be to maintain an optimal working relationship and a mutual understanding and agreement on duties, responsibilities, and priorities between Manager and the City Council. At least annually at a City Council meeting in May of any calendar year, the City Council shall conduct such review.

Section 8: Bonding Requirements

A. City shall bear full cost of the fidelity bond required of the Manager under the Covina Municipal Code or State law.

Section 9: Other Terms and Conditions

A. This Agreement shall be binding upon and shall inure to the benefit of the respective heirs, executors, administrators, successors, and assigns of the parties provided, however, Manager may not assign Manager's obligations hereunder.

B. No provision of this Agreement may be modified, waived, or discharged unless such waiver, modification, or discharge is agreed to in writing by City and Manager. No waiver by either party at any time or the breach of, or lack of compliance with, any conditions or provisions of this Agreement shall be deemed a waiver of other provisions or conditions hereof.

C. The text herein shall constitute the entire agreement between the parties and shall supersede any and all previous agreements and understandings of the parties except as otherwise provided in this Agreement.

Section 10: Severability

A. If any provision, or portions thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable and shall remain in full force and effect.

Section 11: Notices

A. Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

City of Covina
125 East College Street
Covina, California 91723
Attention: Mayor

Daryl Parrish
11451 Casa Blanca Avenue
Yucaipa, CA 92399

B. Notices also may be personally served in the same manner as is applicable to civil judicial practice.

C. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission by the United States Postal Service.

D. Either party hereto may change its respective address of record by providing written notice thereof in accordance with this Section.

[Signature Page to Immediately Follow]

IN WITNESS WHEREOF, the parties have executed this Agreement the date and year first above written.

MANAGER

Daryl Parrish

CITY OF COVINA

Kevin Stapleton
Mayor

ATTEST:

Kay Manning
City Clerk

APPROVED AS TO FORM:

Marco A. Martinez
City Attorney

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: PH 1

STAFF SOURCE: Kalieh Honish, Interim Director of Public Works 
Dilu De Alwis, Director of Finance
Alex Gonzalez, Assistant Director of Public Works

ITEM TITLE: Consideration of Resolution No. 12-7119 Establishing Rental Housing Inspection and Regulatory Fees Pursuant to Ordinance No. 10-1980.

STAFF RECOMMENDATION

1. Open and conduct the Public Hearing; and
2. Adopt **Resolution No. 12-7119**, establishing rental housing inspection and regulatory fees pursuant to Ordinance No. 10-1980.

FISCAL IMPACT

The intent is that all work and inspections to be performed under the proposed ordinance and charged under this resolution would be paid for through the collection of permit application and inspection/regulatory fees, which fees may only be used to fund the rental housing inspection program. Therefore implementation of a rental housing inspection program is intended to have no effect on the City's General Fund. However, the effect upon the General Fund would be dependent upon the application and inspection/regulatory fees ultimately approved by the City Council.

BACKGROUND

Rental Housing Permitting and Inspection Ordinance

Section 5.04.500 of the Covina Municipal Code requires all residential rental properties of four or more units to pay an annual business license tax to the City. Additionally, Section 5.04.020 of the Covina Municipal Code establishes that the payment of this tax is solely for the purpose of raising revenue for municipal purposes and is not intended for regulation. Therefore, while the owners of rental properties of four or more units pay an annual tax to the City for their business operations, the City's ability to inspect and regulate these businesses for the health, safety and welfare of the general public is severely restricted.

Currently, there are approximately 325 rental properties licensed within the city. This number includes only those properties containing four or more units and specifically does not include properties consisting of triplexes, duplexes, or single family homes under lease or rent which do not pay a business license tax. It is estimated that the currently un-licensed rental properties

would bring the total number of rental properties in the city to over 2025. Concerns have recently arisen that rental properties, apartment complexes, single family residences and foreclosures are not being maintained in a manner consistent with those of owner-occupied properties within the same neighborhood. Additionally, the inability to regulate the maintenance and operation of all residential rental properties within the city to protect the general health, welfare and safety of the general public under the current business license tax provisions of the Municipal Code has been problematic when dealing with absentee land owners.

In order to address these issues, staff has brought forward to the Council Ordinance No. 10-1980, which was introduced on November 6 and is scheduled for adoption this evening. This Ordinance would require all residential rental property owners to apply for and obtain an annual inspection permit from the City. Upon receipt of a complete application and payment of annual inspection and regulatory fees, staff would schedule the property for a variety of inspections dependent upon the type of property being permitted. Any deficiencies would be brought to the attention of the property owner; with issuance of the inspection permit being withheld until the necessary corrective actions were taken and the property was in full compliance with all applicable regulations. Failure to take the necessary corrective actions would result in the denial and/or revocation of the property's inspection permit. For more details with regard to the Ordinance, staff would refer to the Council to that specific Agenda Item Commentary.

Rental Housing Annual Inspection and Regulatory Fees

Section 5.06.020 of the Ordinance provides that the annual inspection and regulatory fee shall be established by resolution of the City Council. Further, the Ordinance, consistent with Propositions 218 and 26, provides that the inspection and regulatory fee shall be in addition to any business license tax due under Chapter 5.04 and shall be used solely to finance the cost of registration, inspection and enforcement of the rental housing inspection program. Because these fees are limited to a regulatory purpose, they are not a "tax" under Propositions 218 or 26.

The recommended schedule of inspection and regulatory fees are based on an assessment of pertinent staff hourly rates and the estimated average time spent per inspections, with a consideration that most residential rental properties should require two inspections on average per year. The recommended fees also attempt to factor in any internal City staff costs with respect to registration and permitting. These fees can be adjusted by subsequent Council resolution according to experience once the program is implemented and if it turns out that actual City costs are more or less than originally estimated.

Because these fees may be characterized as "building inspection fees" under the Government Code, this item is agendized as a public hearing this evening. Staff properly gave legal notice of this hearing in the San Gabriel Valley Examiner on November 8 and November 15.

RELEVANCE TO THE STRATEGIC PLAN

On October 25, 2012 the City held a Strategic Planning session which directed staff to return to Council by November 6, 2012 with a rental housing ordinance and associated fees, under the goal of enhancing safety and quality of life in Covina. The attached resolution is part of the implementation of the Ordinance.

EXHIBITS

A. Resolution No. 12-7119

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

RESOLUTION NO. 12-7119

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COVINA, CALIFORNIA, ESTABLISHING RESIDENTIAL RENTAL HOUSING
ANNUAL INSPECTION AND REGULATORY FEES**

WHEREAS, the City of Covina, (“City”) from time to time, is required to adjust service fees in order to better recoup the costs of providing its services; and

WHEREAS, Section 5.06.020 of the Covina Municipal Code provides that residential rental housing annual inspection and regulatory fees shall be established from time to time by resolution of the City Council; and

WHEREAS, Article XIIC, Section 1(e)(6) and Article XIID, Section 1(b) of the California Constitution establish that the provisions of Propositions 218 and 26 have no effect on the imposition of fees or charges as a condition of property development; and

WHEREAS, Article XIIC, Section 1(e)(3) further provides and the California Supreme Court has held that the provisions of Proposition 218 and 26 have no effect on the imposition of fees or charges for reasonable local regulatory costs for issuing licenses and permits, performing investigations, inspections and administrative enforcement and adjudication, which can include fees or charges imposed for the regulation of renting residential dwellings through an inspection and regulatory program, *Apartment Association of Los Angeles County, Inc., v. City of Los Angeles, (2001) 24 Cal.4th 830*; and

NOW, THEREFORE, THE CITY COUNCIL of the City of Covina, California, does hereby resolve as follows:

SECTION 1. **RESIDENTIAL RENTAL HOUSING ANNUAL INSPECTION AND REGULATORY FEES.** The residential rental housing annual inspection and regulatory fees for the City of Covina shall be as described within the attached Exhibit “A”.

SECTION 2. **TERM AND EFFECTIVE DATE.** This Resolution shall take effect immediately and shall remain in effect until such time as the fees contained herein are revised or rescinded by Resolution of the City Council.

SECTION 3: **AMENDMENT AND RESCISSION OF ALL PRIOR RESOLUTIONS.** All prior Resolutions of the City Council are hereby amended or rescinded as applicable or necessary to comply with this Resolution.

SECTION 4. **CERTIFICATION.** The City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered in the Book of Resolutions of the City of Covina; and shall make a record of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same was passed and adopted.

Passed, approved and adopted this 20th day of November, 2012.

Kevin Stapleton
Mayor

ATTEST:

Kay Manning, City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A TO RESOLUTION NO. 12-7119

**CITY OF COVINA
RENTAL HOUSING BUSINESS LICENSE INSPECTION FEES**

HOUSING TYPE	Processing Fee¹	Base Fee²	Per Unit Fee³	Enforcement Fees⁴
Single Family	\$85.00	\$41.00	N/A	Actual Costs
Condo/Townhome	\$85.00	\$41.00	N/A	Actual Costs
Duplex	\$85.00	\$41.00	N/A	Actual Costs
Triplex	\$85.00	\$41.00	N/A	Actual Costs
4 units & over	\$85.00	\$41.00	\$18.00	Actual Costs
Boarding House	\$85.00	\$41.00	\$18.00	Actual Costs
Hotel	\$85.00	\$41.00	\$18.00	Actual Costs
Motel	\$85.00	\$41.00	\$18.00	Actual Costs

¹ Processing Fee is based on total administrative overhead reduced to an hourly rate, estimating less than 0.5 hour for processing. Total hourly rate, including overhead expenses for the areas of Public Works Administration, Code Enforcement, and Building and Safety has an hourly rate of \$185.25. This overhead includes processing by Finance, IT and Duplicating, as well as additional administrative time.

² Base fee is estimated at two 0.5 hour inspections per year, using an average FTE rate for inspection staff. Average hourly rate is \$41.60 for the following positions: Acting Building Official, Assistant Dir. Public Works, Code Enforcement Officers (2), General Building Inspector II (2); and General Building Inspector I.

³ Per Unit Fee is based on 0.1 hour increment add on for administrative processing per unit, based on overhead rate.

⁴ Enforcement Fee is based on actual costs of enforcement to include legal fees, court fees, collection fees and any other fee collection method authorized by Municipal Code.

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: CB 1

STAFF SOURCE: Kalieh Honish, Interim Director of Public Works
Chief Kim Raney, Covina Police Department
Captain David Povero, Covina Police Department
Alex Gonzalez, Assistant Director of Public Works

ITEM TITLE: Adoption of Ordinance No. 10-1980 Amending Title 5, Business Licenses and Regulations, by Adding Chapter 5.06 Pertaining to Rental Housing Permitting and Inspection

STAFF RECOMMENDATION

That City Council hold second reading of and approve adoption of **Ordinance No. 10-1980** amending Title 5, Business Licenses and Regulations, by adding Chapter 5.06 pertaining to rental housing permitting and inspection.

FISCAL IMPACT

The intent is that all work and inspections to be performed under the proposed ordinance would be paid for through the collection of permit application and inspection fees, which fees may only be used to fund this program. Therefore, implementation of a rental housing licensing program is intended to have no effect on the City's General Fund. However, the effect upon the General Fund would be dependent upon the application and inspection fees ultimately approved by the City Council.

BACKGROUND

Section 5.04.500 of the Covina Municipal Code requires all residential rental properties of four or more units to pay an annual business license tax to the City. Additionally, Section 5.04.020 of the Covina Municipal Code establishes that the payment of this tax is solely for the purpose of raising revenue for municipal purposes and is not intended for regulation. Therefore, while the owners of rental properties of four or more units pay an annual tax to the City for their business operations, the City's ability to inspect and regulate these businesses for the health, safety and welfare of the general public is severely restricted.

There are approximately 325 rental properties licensed within the city. This number includes only those properties containing four or more units and specifically does not include properties consisting of triplexes, duplexes, or single family homes under lease or rent which do not pay a business license tax. It is estimated that the currently un-licensed rental properties would bring the total number of rental properties in the city to over 2025. Concerns have recently arisen that rental properties, apartment complexes, single family residences and foreclosures are not being

maintained in a manner acceptable to the norms of the individual neighborhoods or with regard to the general health, welfare and safety of the community at large. Additionally, the inability to regulate the maintenance and operation of residential rental properties within the city to protect the general health, welfare and safety of the general public under the current business license tax provisions of the Municipal Code has shown to be problematic when dealing with absentee land owners. The proposed ordinance has been developed to address these concerns.

As drafted, the proposed ordinance would require all residential rental property owners to apply for and obtain an annual inspection permit from the City. Upon receipt of a complete application and payment of inspection and regulatory fees, staff would schedule the property for a variety of inspections dependent upon the type of rental property being permitted. For example, a rented single family home would be inspected by a Code Enforcement Officer to determine the general condition of the exterior envelope of the structure and the maintenance level of the property, in general. Absent a warrant or emergency, an inspection of the interior of the structure would not be conducted without consent of either the property owner or the tenant.

Conversely, a multi-unit apartment complex, boarding/rooming house or motel/hotel would be inspected by not only a Code Enforcement Officer or Building Inspector for the issues previously addressed, but also potentially by the Health Department, Fire Department, Police Department and Public Works Department to ensure compliance with all applicable, Health, Fire, Building, waste, recycling, stormwater and industrial waste regulations and public safety requirements for such properties. Similar to the single family home inspection, these inspections would deal primarily with general property appearance and maintenance issues, as well as mechanical operations (boiler rooms, laundry facilities, electrical/mechanical rooms) and public areas (swimming pools, carports). Absent a warrant or emergency, inspections of the interiors of individual or inhabited dwelling units would not be performed without consent of either the property owner or the tenant. Any deficiencies would be brought to the attention of the property owner; with issuance of the inspection permit being withheld until the necessary corrective actions were taken and the property was in full compliance with all applicable regulations. Failure to take the necessary corrective actions would result in the denial and/or revocation of the property's inspection permit.

Prior to the preparation of this report, staff, including the City Manager and representatives of the Police and Public Works Departments, met with representatives of the Prospero Park Apartment Owners' Association to review the proposed parameters of the ordinance and discuss its possible re-introduction and implementation. This meeting ended with the consensus of all parties present that the proposed ordinance could be a valuable tool in the protection of the general health, safety and welfare of rental property neighborhoods. The parameters of the ordinance were presented to the Covina Citizen's Finance Advisory Committee on July 23, 2012 and it was unanimously recommended that the ordinance be presented for introduction to the City Council.

An overview of this ordinance was previously presented to the City Council at a public workshop on October 2, 2012 by the Police and Public Works Departments, as a potential tool for City Officials, especially for Code Enforcement field operations, to maintain community safety standards. Since that time, the City Attorney's Office has added certain provisions to ensure the

ordinance's compliance with recent case law. This item was re-introduced as directed by the Covina City Council on November 6, 2012 and is now presented for second reading and adoption.

RELEVANCE TO THE STRATEGIC PLAN

On October 25, 2012 the City held a Strategic Planning session which directed staff to return to Council by November 6, 2012 with a rental housing ordinance and associated fees, under the goal of enhancing safety and quality of life in Covina. This ordinance was re-introduced as directed by the Covina City Council on November 6, 2012 and is now presented for second reading and adoption.

EXHIBITS

A. Ordinance No. 10-1980

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: 

ORDINANCE NO. 10-1980

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA,
CALIFORNIA AMENDING TITLE 5, BUSINESS LICENSES AND
REGULATIONS, BY ADDING CHAPTER 5.06 PERTAINING TO RENTAL HOUSING
PERMITTING AND INSPECTION**

THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1: Title 5 of the Covina Municipal Code is hereby amended by adding new
Chapter 5.06 thereto to read as follows:

“Chapter 5.06

RENTAL HOUSING

Sections:

- 5.06.010 Definitions.
- 5.06.020 Permit – Required.
- 5.06.030 Permit – Application.
- 5.06.040 Permit – Investigation.
- 5.06.050 Permit – Grant or Denial.
- 5.06.055 Procedure for Inspections.
- 5.06.060 Permit – Suspension or Revocation.
- 5.06.070 Permit – Appeal.
- 5.06.080 Permit – Violation and Penalty.

5.06.010 Definitions. The following words and phrases when used in this chapter
shall have the meanings hereinafter respectively ascribed to them:

A. “Boarding and rooming house” means a lodging house or other building or structure
maintained, advertised, or held out to the public as a place where sleeping or rooming
accommodations are furnished to the whole or any part of the public, whether with or without
meals. Such places shall include all buildings or structures which provide sleeping and living
accommodations to three or more persons unrelated to the operator, which are not otherwise
licensed under this title as an apartment house, hotel or motel.

B. “Dwelling” means a building or portion thereof designed for residential purposes and
approved by the city and improved with full utility services including connection to a public
sewer or private septic tank. “Dwelling” includes single-family dwellings, two-family dwellings
and multiple dwellings.

C. "Rental Housing" means a building, dwelling, or structure advertised or held out to the public for rent or lease for sleeping or living accommodations. Rental Housing includes boarding houses, rooming houses, apartment houses, dwellings, hotels and motels.

5.06.020 Permit – Required. Every person engaged in the business of renting, leasing, maintaining or conducting rental housing, regardless of the number of rental housing units, shall first obtain an annual inspection permit and pay an annual inspection and regulatory fee as established by resolution of the city council. The annual inspection and regulatory fee shall be in addition to and separate from any business license tax otherwise due pursuant to Chapter 5.04 of this Title and shall be used solely to finance the cost of registration, inspection and enforcement of this Chapter.

5.06.030 Permit – Application. Applications shall be submitted upon forms furnished by the Finance Director and shall be signed by the applicant. In addition to any other information which may reasonably be required by the Finance Director, the applicant shall show the true name of the applicant, his/her fictitious name or names, if any, his/her present residence address, his/her proposed business address in the city, the name under which the applicant conducted any similar business, if any, and the place of his/her residence at such time.

5.06.040 Permit – Investigation. The Building Official, Health Officer, Police Chief, Fire Chief and City Planner, within the jurisdiction and duties of their particular departments, shall ascertain whether or not the premises to be used comply with applicable laws, ordinances and regulations concerning such premises. A report of the investigations required hereby along with the application and any recommendations made shall be referred to the Finance Director for action thereon.

5.06.050 Permit – Grant or Denial.

A. The Finance Director shall review the application, investigation reports and recommendations and shall deny the permit if he or she finds any of the following to be true:

1. That any of the information on the application has been deliberately falsified.
2. That the required inspection and regulatory fee has not been paid.
3. That the premises do not comply with all applicable laws, ordinances and regulations concerning such premises.

B. If the Finance Director finds that there are no grounds for denial, he or she shall issue the permit. He or she may attach to such permit any conditions which are reasonably related to the grant in order to ensure that the public health, safety and general welfare are protected.

C. A rental housing inspection permit shall not preclude and the City may conduct subsequent inspections from time to time after issuance of a permit to ensure that the premises continue to be in compliance with all applicable laws, ordinances and regulations. Such inspections may be conducted pursuant to a regular inspection schedule or upon complaint received by the City.

5.06.055 Procedure for Inspections. The following procedures shall be followed for all initial and subsequent inspections:

A. **Exterior Inspection:** The City may inspect the exterior of rental housing at any time and without notice to the owner or tenants, provided the inspection is limited to what may be observed from the public right of way or from any property accessible to the general public (ie: front yard).

B. **Pre-Inspection Notice for Inspection of Interior Common Areas:** Where the exterior inspection provided for in this chapter reveals evidence of possible violations within an interior common area of rental housing, the City may make an inspection of the interior common area. Prior to conducting an inspection of the interior common areas of rental housing (those areas generally limited to the owner, tenants, and their guests) the City shall give not less than five (5) calendar days prior written notice to the owner and to the tenants of the date and time of the inspection. The City may provide written notice to the owner and tenants by mail or by the posting of the official notice in a common area of the premises. Prior notice to inspect shall not be required if (i) the inspection is based upon a complaint lodged with the City or (ii) to determine whether a violation of this code exists which poses an immediate threat to public health or safety. Such inspection may include, but not be limited to, all hallways, stairways, lobbies, utility rooms, laundry rooms, storage rooms, recreation rooms, grounds, refuse areas, parking areas, building extensions, signs and other areas designated as common areas for the purpose of locating any violations of state or city laws, ordinances and regulations.

C. **Pre-Inspection Notice for Interior Inspection of Rental Housing Units:** Where the exterior or interior common area inspection provided for in this chapter reveals evidence of possible interior violations within a rental housing unit, the City may make an interior inspection of the unit. If the unit is occupied, the City official shall first present proper credentials to the tenant/occupant and request consent to enter, explaining the reasons for the interior inspection. If the unit is unoccupied, the City official shall first make a reasonable effort to locate the owner, occupant, or other person having charge or control of the unit and, if found, request consent to enter, explaining the reasons for the interior inspection. The City shall be authorized to inspect the interior of any rental housing unit for the purpose of enforcing state or city laws, ordinances and regulations only if:

1. Such inspection is at the request of or with the consent of the owner (if unoccupied) or tenant/occupant (if occupied);
2. Pursuant to an inspection warrant or other court order; or
3. Reasonable cause exists that the rental housing unit is so hazardous, unsafe, substandard or dangerous as to require immediate inspection without consent or a warrant to safeguard the public health or safety.

D. **Post-Inspection Notice** After Interior Inspection of Rental Housing Units: If an interior inspection of a rental unit is conducted, the City shall provide written notice to the tenant/occupant in each rental housing unit inspected pursuant to this chapter which, at a minimum, shall state that an inspection occurred and shall provide the address and telephone number where the tenant/occupant can get further information about the inspection. This notice may be provided by leaving it in the unit, by posting it at the premises, or by mailing by first class mail to the tenant/occupant or, if the unit appears unoccupied, to the owner.

5.06.060 Permit – Suspension or Revocation – Grounds. A. Based upon evidence provided to the Finance Director, the City shall suspend or revoke a permit if it finds any of the following:

1. That the permittee has failed to comply with the conditions attached to the permit.
2. That the permittee has violated any of the standards or regulations of this title.
3. That the permittee, or premises involved, is in violation of applicable sections of state law or this code relating to the conduct of his or her business or maintenance of the premises.

B. No permit shall be revoked until after a hearing has been held before the City Manager to determine just cause for such revocation; provided however that the Finance Director may order any permits suspended pending such hearing, and it is unlawful for any person to operate rental housing until the suspended permit has been reinstated by the City Manager.

C. Notice of such hearing shall be given in writing and served at least five (5) calendar days prior to the date of the hearing thereon. The notice shall state the grounds of the complaint against the holder of such permit or against the business being conducted at the permitted premises, and shall state the time and place where such hearing will be held.

D. The notice shall be served upon the permit holder by delivering the same to such person or by leaving such notice at the place of business or residence of the permit holder in the custody of a person of suitable age and discretion. In the event the permit holder cannot be found and the service of such notice cannot be made in the manner herein provided, a copy of such notice shall be mailed, postage fully prepaid, addressed to the permit holder at his place of business or residence, at least five calendar days prior to the date of such hearing.

5.06.070 Appeal. A. Any person aggrieved by the grant, denial, suspension or revocation of a permit may appeal that decision by filing a written notice of such appeal and the grounds therefor with the City Clerk within ten (10) calendar days after the decision. Upon receipt of the appeal, the matter shall be set for review by the City Council. No rights shall be exercised under any permit until the City Council's decision.

B. In considering and ruling upon any appeal of the petitioner, the City Council shall judge the merits of the appeal based upon those grounds set forth in sections 5.06.050 and 5.06.060 of this code.

C. The City Council may reverse or affirm wholly or partly or may modify any decision, determination, or requirement of the Finance Director and City Manager and may make such decisions or determinations or impose such conditions as the facts warrant, and may order that a permit be granted, denied, suspended or revoked in accordance with their ruling. The decision of the city council shall be final. Any hearing may be continued from time to time.

5.06.080 Violation and Penalty. A. Every person who engages in the business of maintaining or conducting a rental housing unit without first obtaining a permit and paying an annual fee to do so to the City or who violates any provision of this title is guilty of a misdemeanor.

B. Any rental housing unit operated, conducted or maintained contrary to the provisions of this chapter is unlawful and a public nuisance and the City Attorney may, in addition to or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings, for the abatement, removal, and enjoinder thereof, in the manner provided by law; and shall take other steps and shall apply to such court or courts as may have jurisdiction to grant

such relief as will abate or remove such rental housing unit and restrain and enjoin any person from operating, conducting or maintaining rental housing contrary to the provisions of this chapter.”

Section 2: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional or void.

Section 3: Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local weekly newspaper of general circulation and which is designated for that purpose.

ORDINANCE PASSED AND APPROVED on this ____ day of _____, 2012.

Kevin Stapleton
Mayor

ATTEST:

Kay Manning
City Clerk

APPROVED AS TO FORM:

City Attorney

- Approved by vote _____
- Not approved/Denied by vote _____
- Continued to _____
- Adopted Resolution No. _____
- Introduced/Adopted Ordinance No. _____

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: NB 1

STAFF SOURCE: Daryl Parrish, City Manager ϕ

ITEM TITLE: Consideration of Issuance of Request for Proposals for City Attorney Services and Appointment of Council Ad-Hoc Committee

STAFF RECOMMENDATION

Consideration of Issuance of Request for Proposals for City Attorney Services and appointment of Council ad-hoc committee.

FISCAL IMPACT

The annual cost for city attorney services is budgeted at \$207,540 per year. This amount consists of \$107,540 for retainer services and \$100,000 for other legal services. The amount currently being paid will change from year-to-year based on various legal issues that require the city attorneys' assistance. In addition, this amount does not include other legal fees paid for by other departments that utilize attorneys for their respective work. For example, the Police, Public Works and the Human Resources Departments use attorneys that are familiar with legal issues that arise out of those respective work environments. Overall, the average cost for all attorney services is \$766,532 from fiscal year 2009-10 to 2011-12.

BACKGROUND

At the October 2, 2012 City Council meeting, staff was directed to bring an agenda item for Council consideration regarding a request for proposal (RFP) for city attorney services. Currently, the City of Covina is contracted with Best Best & Krieger, who have been the city attorney since January 2006.

If the Council desires, a City Council ad-hoc committee will be composed to provide items to be included in the RFP and to review the final draft RFP. Specific areas where the Council may desire to provide direction could include: timing, scope of services, proposal form and content, review selection criteria and evaluation criteria. Members of the ad-hoc committee will need to be selected as part of this agenda item.

RELEVANCE TO THE STRATEGIC PLAN

None.

ALTERNATIVES

1. Request Best Best & Krieger to provide a revised contract for the City Council or Council Ad-Hoc Committee to consider.
2. Instruct staff to provide information regarding in-house counsel (salary and benefits, PERS impact, etc.).

EXHIBITS

None.

REVIEW TEAM ONLY	
City Attorney: <u>Not applicable</u>	Finance Director: <u>DE</u>
City Manager: <u>Ø</u>	Other: _____

- Approved by vote _____
- Not approved/Denied by vote _____
- Continued to _____
- Adopted Resolution No. _____
- Introduced/Adopted Ordinance No. _____

CITY OF COVINA

AGENDA ITEM COMMENTARY

MEETING DATE: November 20, 2012

ITEM NO.: NB2

STAFF SOURCE: Kim J. Raney, Chief of Police

KR

ITEM TITLE: An Ordinance of the City Council of the City of Covina, California, amending Chapter 8.20 of Title 8 of the Covina Municipal Code pertaining to alarm registration, a regulatory scheme for administering and managing the city's response to alarms, fees, fines, appeal process, and providing other matters properly relating thereto.

STAFF RECOMMENDATION

Waive further reading, read by title only, and introduce Ordinance No. 12-2014, (attached hereto as Exhibit A) amending Chapter 8.20 of Title 8 of the Covina Municipal Code regarding Alarms to reflect changes to the administration of the City's Alarm Program.

FISCAL IMPACT

Impact is unknown at this time and will be reviewed after one year. Amending the municipal code will update the administration of the Alarm program by improving program rules to make it more contemporary and comparable to other cities in California. It is anticipated that changes to the program will make it more efficient and self-sustaining.

BACKGROUND

The Covina Police Department responded to 2,244 alarm calls in the last two years (2010-2011). Of those alarms, only 24 were confirmed burglaries (99.1% were false alarms). These false alarms were caused by equipment malfunction, poor installation, or user errors. False alarms create a serious burden on the limited Police Department resources that result in higher response times to other legitimate crimes. Amending the ordinance will assist in our goal to reduce the number of false alarms to which officers must respond, thereby freeing up limited resources to respond to other emergency and non-emergency calls.

The City of Covina last reviewed its alarm ordinance when it was enacted in 1998. While it was a contemporary ordinance when adopted, time has caused it to become antiquated and in need of updating. Alarm industry standards have changed, including technology of equipment, acceptable standardized fee/fine structures, program monitoring options, and our ordinance should be updated to reflect these changes. The current municipal code must be amended in order to strengthen the alarm program by decreasing false alarms, gaining compliance from alarm companies and customers and to improve billing/collection.

Improvements and changes to the current municipal code include the following:

1. The first false alarm fee – Alarm users may have their first false burglar alarm fine waived by completing an on-line or mail-in alarm school within 30 days of fine assessment. This is an educational component to help users understand the proper operation of their alarm system. Statistically, alarm users that have one false burglar alarm per year, account for 60% of the total annual false burglar alarm calls. These users will not be fined should they take the opportunity to complete the short alarm school.
2. Establishes “Enhanced Call Verification” which requires an attempt by the Monitoring Company to contact the alarm site or alarm user by telephone and/or other electronic means be made, in an attempt to avoid an unnecessary alarm dispatch request.
3. Requires alarm users to address false burglar alarm problems or face suspension from the alarm program after the fourth false burglar alarm within a one-year period. During suspension, the alarm user has 30 days to correct the problem before being restored to the alarm program.
4. If a user has eight false burglar alarms in a one-year period, their account will be suspended and placed on “verified response” for twelve months. The police department will only respond to a “verified response” burglar alarm based on information from a person physically present at the location or from real-time video or audio surveillance positively verifying a crime or attempted crime has occurred at the location.

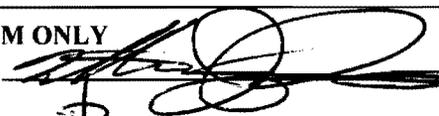
These amendments and update of the current municipal code holds alarm users and companies responsible for the proper installation of alarm systems, and alarm users accountable for its proper operation. Additionally, it will reduce false alarms and allow police officers to be deployed more efficiently to other emergency and non-emergency events and provide increased service to the citizens of Covina. In completing this update, recognized alarm industry organizations; Security Industry Alarm Coalition (SIAC) and Greater Los Angeles Security Alarm Association (GLASAA) were included to collaborate. Members from both organizations provided positive input/feedback and support for the ordinance that is presented for council consideration.

RELEVANCE TO THE STRATEGIC PLAN

Revising the alarm ordinance is a current Strategic Plan objective.

EXHIBITS

A. Proposed Ordinance No. 12-2014

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

ALARM ORDINANCE

ORDINANCE 12-2014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING CHAPTER 8.20 OF TITLE 8 OF THE COVINA MUNICIPAL CODE PERTAINING TO ALARM REGISTRATION, A REGULATORY SCHEME FOR ADMINISTERING AND MANAGING THE CITY'S RESPONSE TO ALARMS, FEES, FINES, APPEAL PROCESS, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1: Chapter 8.20 of Title 8 of the Covina Municipal Code is hereby repealed and replaced with the following:

“Chapter 8.20

ALARM SYSTEMS

Sections:

- 8.20.010 Purpose.
- 8.20.020 Definitions.
- 8.20.030 Administration; Funding; Increases in Fees and Fines; Annual Evaluation
- 8.20.040 Alarm Registrations Required; Terms; Fees and Fee Collection.
- 8.20.050 Registration Application; Contents.
- 8.20.060 Transfer of Registration Prohibited.
- 8.20.070 Duties of Alarm Users.
- 8.20.080 Audible Alarms; Restrictions, Abatement of Malfunctioning Alarm.
- 8.20.090 Registration and Duties of Alarm Installation Companies and Monitoring Companies.
- 8.20.100 Duties and Authority of the Alarm Administrator.
- 8.20.110 False Alarm Fines; Fees; Late Charges.
- 8.20.120 Notice to Alarm Users of False Alarms and Suspension of a Police Response.
- 8.20.130 Alarm Registration Suspension, Fees, Fines, Violation to Make Alarm Dispatch Request for Suspended Alarm Site and Verified Response.

- 8.20.140 Appeals of Determinations Regarding Alarm Registrations, Fees and Fines.
- 8.20.150 Reinstatement of Suspended Alarm Registrations.
- 8.20.160 Suspension of Police Response to Dispatch Requests from Certain Alarm Installation Companies and Monitoring Companies.
- 8.20.170 Police Department Response.
- 8.20.180 Confidentiality of Alarm Information.
- 8.20.190 Scope of Police Duty; Immunities Preserved.

8.20.010 Purpose. The City of Covina Council finds and declares that:

A. The vast majority of alarms to which the Police Department responds are False Alarms, which are reported to the Police by alarm companies.

B. Most False Alarms are the result of improper maintenance or improper or careless use of an Alarm System.

C. The public and Police Officers are subjected to needless danger when the Officers are called to respond to False Alarms.

D. Officers responding to False Alarms are not available to carry out other Police duties.

E. In the interest of using limited Police resources most effectively and efficiently, the number of False Alarms can and must be reduced.

F. The purpose of this Chapter is to reduce the dangers and inefficiencies associated with False Alarms and to encourage alarm companies and property owners to maintain the operational reliability, properly use Alarm Systems, and to reduce or eliminate False Alarm Dispatch Requests.

G. This Chapter governs systems intended to summon a Police response, establishes fees, fines, establishes a system of administration, sets conditions for the suspension of a Police response and establishes a public education and training program.

8.20.020 Definitions. For purposes of this Chapter, the following terms shall have the following meanings:

A. "Alarm Administrator" means the Person or Persons designated by the Police Department to administer the provisions of this Chapter.

B. "Alarm Agreement" means the legal contract or agreement by and between the Alarm Installation Company and/or Monitoring Company and the Alarm User.

C. "Alarm Agreement Holding Company" means the Alarm Installation Company or Monitoring Company that holds the Alarm Agreement with the Alarm User

D. “Alarm Installation Company” means a Person in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving or installing an Alarm System at an Alarm Site for compensation, and includes individuals or firms that install and service Alarm Systems used in a private business or proprietary facility.

E. “Alarm Dispatch Request” means a notification to the Police Department that an alarm, either manual or automatic, has been activated at a particular Alarm Site.

F. “Alarm Registration” means a registration and unique Number issued by the Alarm Administrator to an Alarm User, which authorizes the operation of an Alarm System.

G. “Alarm Response Manager (ARM)” means a Person designated by an Alarm Installation Company and Monitoring Company to handle alarm issues for the company and act as the primary point of contact for the City’s Alarm Administrator.

H. “Alarm Site” means a location served by one or more Alarm Systems. In a multi-unit building or complex, each unit shall be considered a separate Alarm Site if served by a separate Alarm System. In a single unit building that houses two or more separate businesses with separate Alarm Systems, each business will be considered a separate Alarm Site.

I. “Alarm System” means a device or series of devices, which emit or transmit an audible or remote visual or electronic alarm signal, which is intended to summon Police response. The term includes hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals, and includes Local Alarm Systems, but does not include an alarm installed in a motor vehicle, on an individual’s person or a system which will not emit a signal either audible or visible from the outside of the building, residence or beyond, but is designed solely to alert the occupants of a building or residence.

J. “Alarm User” means any Person who has contracted for Monitoring, repair, installation or maintenance service for an Alarm System from an Alarm Installation Company or Monitoring Company, or who owns or operates an Alarm System which is not monitored, maintained or repaired under agreement.

K. “Alarm User Awareness Class” means a class conducted for the purpose of educating Alarm Users about the responsible use, operation, and maintenance of Alarm Systems and the problems created by False Alarms.

L. “Alarm User List” means a list provided by the Alarm User’s Alarm Installation Company or if no Alarm Agreement exists between the Alarm User and an Alarm Installation Company, the Alarm User’s Monitoring Company.

M. “Arming Station” means a device that controls an Alarm System.

N. “Automatic Voice Dialer” means any electronic, mechanical, or other device which, when activated, is capable of being programmed to send a prerecorded voice message to the Police Department or City requesting an officer dispatch to an Alarm Site.

O. “Burglar Alarm” means an alarm intended to identify the presence of an intruder in either a business or residence.

P. “Business License” means a Business License issued by the City of Covina Business License division to an Alarm Installation Company or Monitoring Company to conduct business in the City.

Q. “Cancellation” means the termination of a Police response to an Alarm Site after an Alarm Dispatch Request is made but before an officer’s arrival at the Alarm Site.

R. “Conversion of Alarm User” means the transaction or process by which one Alarm Installation Company or Monitoring Company begins the servicing or monitoring of a previously unmonitored Alarm System or an Alarm System that was previously serviced or monitored by another alarm company.

S. “City” means City of Covina.

T. “Duress Alarm” means a silent Alarm System signal generated by the entry of a designated code into an Arming Station in order to signal that the Alarm User is being forced to turn off the system and requires an officer response.

U. “Enhanced Call Verification” means an attempt by the Monitoring Company, or its representative, to contact the Alarm Site and/or Alarm User and/or the Alarm User’s designated representatives by telephone and/or other electronic means, whether or not actual contact with a Person is made, to determine whether an alarm signal is valid before requesting a Police Burglar Alarm Dispatch, in an attempt to avoid an unnecessary Alarm Dispatch Request. For the purpose of this Chapter, telephone verification shall require, as a minimum that a second call be made to a different number, if the first attempt fails to reach an Alarm User who can properly identify themselves to determine whether an alarm signal is valid before requesting an officer dispatch. Names and numbers or those contacted or attempted to contact, shall be provided when requested.

V. “False Alarm” means an Alarm Dispatch Request to the Police Department, which results in the responding officer finding no evidence of a criminal offense or attempted criminal offense after completing an investigation of the Alarm Site.

EXHIBIT A

W. "Holdup Alarm" means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

X. "Local Alarm System" means an unmonitored Alarm System that annunciates an alarm only at the Alarm Site.

Y. "Monitoring" means the process by which a Monitoring Company receives signals from an Alarm System and relays an Alarm Dispatch Request to the Police Department.

Z. "Monitoring Company" means a Person in the business of providing Monitoring services.

AA. "One Plus Duress Alarm" means the manual activation of a silent alarm signal by entering a code that adds one number to the last digit of the normal arm/disarm code (e.g., normal code = 1234, one plus duress code = 1235).

BB. "Panic Alarm" means an Alarm System signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring an officer response.

CC. "Person" means an individual, corporation, limited liability company, partnership, association, organization or similar entity.

DD. "Police Department" means the Covina Police Department.

EE. "Protective or Reactive Alarm System" means an Alarm System that produces a temporary disability or sensory deprivation through use of chemical, electrical, sonic or other means, including use of devices that obscure or disable a Person's vision.

FF. "Registration Number" means a unique individual number assigned to an Alarm User as part of Alarm Registration issued by the Police Department.

GG. "Responsible Party" means a Person capable of appearing at the Alarm Site upon request who has access to the Alarm Site, the code to the Alarm System and the authority to approve repairs to the Alarm System.

HH. "Robbery Alarm" means an alarm signal generated by the manual or automatic activation of a device, or any system, device or mechanism on or near the premises intended to signal that a robbery is in progress and that a Person is in need of immediate Police assistance in order to avoid bodily harm, injury or death. The term has the same general meaning as "Holdup Alarm or Duress Alarm."

II. “SIA Control Panel Standard CP-01” means the ANSI – American National Standard Institute-approved Security Industry Association – SIA CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce the incidence of False Alarms. Control panels built and tested to this standard by Underwriters Laboratory (UL), or other nationally recognized testing organizations are marked as follows: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction.”

JJ. “Takeover” means the transaction or process by which an Alarm User takes over control of an existing Alarm System that was previously controlled by another Alarm User.

KK. “Verified Response” means a police response that is based on information received from a person physically present at a location (e.g., an Alarm Site) or from real-time audio or video surveillance positively verifying that there is evidence of either a crime or an attempted crime at the location.

LL. “Zones” mean a division of devices into which an Alarm System is divided to indicate the general location from which an Alarm System signal is transmitted.

8.20.030 Administration; Funding; Increases in Fees and Fines; Annual Evaluation.

A. Responsibility for administration of this Chapter is vested with the Police Department.

B. The Police Department shall designate an Alarm Administrator to carry out the duties and functions described in this section.

C. Monies generated by fees and fines assessed pursuant to this section shall be dedicated for use by the Police Department for the administration of the provisions of this Chapter and officers’ response to alarms.

D. The amount of the fees and fines set forth in this section shall be specified in the City Fee Schedule, which may only be revised by a duly-adopted resolution of the City Council. For purposes of this subsection, "fees" include any type or class of fee and includes late charges.

E. The Alarm Administrator shall conduct an annual evaluation and analysis of the effectiveness of this Chapter and identify and implement system improvements as warranted.

8.20.040 Alarm Registrations Required; Terms; Fees and Fee Collection

EXHIBIT A

A. An Alarm User shall not operate, or cause to be operated, any Alarm System without a valid Alarm Registration. A separate Alarm Registration is required for each Alarm Site having a distinct address or business name. A registration fee including a completed Alarm Registration application shall be received and approved by the Alarm Administrator prior to any Alarm System activation. There shall be reduced residential registration fees for senior citizens, low-income and disabled persons. The city council shall establish such classes of persons by resolution.

B. Owners of Local Alarm Systems are required to adhere to all sections of this Chapter and are subject to all fees, fines, suspensions, penalties or other requirements that are applicable.

C. The fee for a new initial Alarm Registration and the Alarm Registration renewal fee shall be collected by the Alarm Administrator.

D. Existing Alarm Systems:

1. Any Alarm System that has been installed before the effective date of this Ordinance shall be registered and a registration fee collected by the Alarm Administrator.

a. The Alarm Agreement Holding Company shall provide within forty (40) days of the effective date of this Ordinance, an Alarm User List of existing Alarm Users in the City, in a format approved by the Alarm Administrator, including name, address, billing address and telephone number to the Alarm Administrator.

b. The Alarm Agreement Holding Company may apply to the Alarm Administrator for an extension of the time limit in subsection (a) based on extenuating circumstances.

2. The Alarm Agreement Holding Company may, through a mutual written agreement, have another Alarm Company provide the Alarm User's list.

E. New Alarm Systems:

1. Any Alarm Installation Company that installs an Alarm System on premises located within the City of Covina shall notify the Alarm Administrator within ten (10) days that an Alarm System has been installed and send the Alarm Administrator the required information.

2. In the case of self-installed alarm systems that are to be monitored by a Monitoring Company, the Monitoring Company shall act as the Alarm Installation Company regarding the duties to notify the Alarm Administrator.

3. Failure of an Alarm Installation Company to notify the Alarm Administrator of a new Alarm System installation within ten (10) days of installation shall result in a fine as established by resolution of the city council to be imposed on the Alarm Installation Company.

4. The initial Alarm Registration fee shall be collected by the Alarm Administrator. Failure of the Alarm User to submit an application and registration fee within the thirty (30) days after notice shall result in the Alarm System being classified as non-registered and late charges being assessed.

F. Alarm Registration and Renewal Fees

1. An Alarm Registration shall expire one year from the date of issuance, and must be renewed annually by the Alarm User. The Alarm Administrator shall notify the Alarm User of the need to renew their registration thirty (30) days prior to the expiration of the registration. It is the responsibility of the Alarm User to submit the updated information and renewal fees prior to the registration expiration date. Failure to renew shall be classified as use of a non-registered Alarm System and subject the Alarm Site to a suspension and late charge.

2. Registration fees shall be collected annually based on a one year registration period. The amount of the registration and renewal fees required are established by resolution of the city council.

G. Late charge. Alarm Users who fail to make payment for an Alarm Registration prior to the registration's expiration date will be assessed a late charge as established by resolution of the city council.

H. Refunds. No refund of a registration fee or registration renewal fee will be made.

I. Upon receipt of a completed Alarm Registration application form and the Alarm Registration fee, the Alarm Administrator shall issue a Registration Number or Alarm Registration renewal to the applicant unless:

1. The applicant has failed to pay any fee or fine assessed under this chapter; or

2. An Alarm Registration for the Alarm Site has been suspended, and the condition causing the suspension has not been corrected; or

3. The Alarm Installation Company and/or the Monitoring Company listed on the registration application are not in possession of a current valid State of California Department of Consumer Affairs Alarm Company Operators License.

4. Any false statement of a material fact made by an applicant for the purpose of obtaining an Alarm Registration shall be sufficient cause for refusal to issue an Alarm Registration.

J. Exceptions.

1. Government entities, including but not necessarily limited to the City, County, State, Federal and School Districts, must obtain Alarm Registrations for all Alarm Systems on property under their control within the boundaries of Covina, but are exempt from payment of Alarm Registration and renewal fees.

2. All registration-fee-exempted alarm sites are required to obtain and maintain a valid Alarm Registration for a Police response and are subjected to all other fees, fines and suspension enforcements.

8.20.050 Registration Application; Contents. An application for an Alarm Registration must be in a format provided by the Police Department. The information required on such forms shall be determined by the Alarm Administrator. Registration applicants acknowledge that the Police response may be influenced by factors including, but not limited to, the availability of officers, priority of calls, traffic conditions, weather conditions, emergency conditions, prior alarm history, administrative actions and staffing levels.

8.20.060 Transfer of Registration Prohibited.

A. An Alarm Registration cannot be transferred to another Person or Alarm Site. An Alarm User shall inform the Alarm Administrator and their Alarm Company of any change to the information listed on the Alarm Registration application within ten (10) business days after such change.

B. Exceptions may be made in the discretion of the Alarm Administrator when the transfer proposed is among members of the family of the original registration holder or successors in interest to the property for which the Alarm Registration has been issued.

8.20.070 Duties of Alarm Users.

A. An Alarm User shall:

1. Maintain the Alarm Site and the Alarm System in a manner that will minimize or eliminate False Alarms;

2. Make every reasonable effort to arrive at the Alarm System's location within 30 minutes after being requested by the Monitoring Company or Police Department in order to:

- a. Deactivate an Alarm System;
- b. Provide access to the Alarm Site; and/or
- c. Provide alternative security for the Alarm Site.

3. Provide his, her, or its Monitoring Company with the updated names and telephone numbers of at least two individuals who are able and have agreed to:

- a. Receive notification of an Alarm System activation at any time;
- b. Respond to the Alarm Site at any time; and
- c. Provide access to the Alarm Site and deactivate the Alarm System, if necessary.

4. Not activate an Alarm System for any reason other than an occurrence of an event that the Alarm System was intended to report.

5. Notify his, her, or its Monitoring Company of any suspension of police response (as provided for under this Chapter) and request that the Monitoring Company not make a Burglar Alarm Dispatch Request.

B. No Person shall operate or cause to be operated any Automatic Voice Dialer which, when activated, uses a telephone device or attachment to automatically dial a telephone line leading into the Police Department or the City and then transmit any pre-recorded message or signal. A fine in an amount established by resolution of the city council shall be imposed for each violation of this prohibition.

C. An Alarm User shall keep a set of written operating instructions for each Alarm System at each Alarm Site.

8.20.080 Audible Alarms; Restrictions, Abatement of Malfunctioning Alarm.

A. No Alarm System shall emit a sound resembling an emergency vehicle siren or civil defense warning. The chief of police shall make the final determination regarding any question of an audible alarm within this section.

B. After the effective date of this ordinance no one shall install, modify or repair an Alarm System in the City of Covina that has a siren, bell or other signal that is audible from any property adjacent to the Alarm Site that sounds for longer than ten (10) consecutive minutes after the alarm is activated, or that repeats the ten (10) minute audible cycle more than three consecutive times during a single armed period. A fine in an amount established by resolution of the city council shall be imposed for each violation of this prohibition.

C. In the event that an audible alarm is activated and fails to reset itself or continues to activate for more than (60) sixty minutes and the responsible person listed on the Alarm Registration or other responsible person cannot or will not respond and silence the alarm, and the continued activation of the alarm is creating a disturbance, the Police Department may cause the alarm to be silenced in a manner determined appropriate for the circumstances. The Alarm User shall be held responsible for the actual costs involved to abate the malfunctioning alarm up to a maximum of three hundred dollars (\$300). The City, its employees or agents shall not be responsible or liable for damage resulting from such disconnection.

8.20.090 Registration and Duties of Alarm Installation Companies and Monitoring Companies.

A. Registration.

1. No alarm company operator or alarm agent, as defined by the Business and Professions Code, shall install, maintain, or repair any Alarm System within the City unless the Alarm Company operator or alarm agent has, prior to performing such work, obtained a Business License and registered his or her name and address and filed a copy of his or her state identification card with the City's finance department.

2. Each Alarm Installation Company and Alarm Monitoring Company must designate one individual as the Alarm Response Manager (ARM) for the company. The individual designated as the ARM must be knowledgeable of the provisions of this Chapter, as well as have the knowledge and authority to deal with False Alarm issues and respond to requests from the Alarm Administrator. The name, contact number, and email address of the ARM shall be provided to the Alarm Administrator. Failure to comply within thirty (30) days after being notified in writing from the Alarm Administrator may result in the suspension of Police Department response to Alarm Dispatch Requests from the non-complying Alarm Installation Company or Monitoring Company.

3. Each Alarm Installation Company shall provide the name, address and phone number of any Monitoring Company it is using to monitor its Alarm Sites within the City, and Monitoring Companies shall do the same for Alarm Installation Companies that use their monitoring services within the City.

4. **Disconnected Alarm Users.** An Alarm Installation Company or Alarm Monitoring Company that holds the Alarm Agreement shall notify the Alarm Administrator by the 15th day of each month of all their alarm customers within the City of Covina that have discontinued their alarm service with the company in the previous month. Failure to comply shall result in a fine per violation in an amount established by resolution by the city council. The fine may be waived by the Alarm Administrator when the Alarm Installation Company or Monitoring Company provides documentation that it has a valid contract with the respective Alarm User.

B. Alarm Installation Companies shall:

1. Upon the installation or activation of an Alarm System, the Alarm Installation Company shall distribute to the Alarm User information summarizing:

- a. The applicable law relating to False Alarms, including the Registration Fee and the potential for fines and suspension of an Alarm Registration;
- b. How to prevent False Alarms; and
- c. How to operate the Alarm System.

2. After the effective date of this Ordinance, Alarm Installation Companies shall not program Alarm Systems so that they are capable of sending One Plus Duress Alarms. Monitoring Companies may continue to report One Plus Duress Alarms received from Alarm Systems programmed with One Plus Duress Alarms installed prior to the effective date of this Ordinance.

3. After the effective date of this Ordinance, Alarm Installation Companies shall not install, modify or repair "single action" devices for the activation of Hold-up, Robbery or Panic Alarms. New devices shall require two actions or an activation time delay to provide more positive assurance that the user intends to activate the device.

4. Ninety days after the effective date of this Ordinance, an Alarm Installation Company shall, on new installations, use only alarm control panel(s) which meet ANSI/SIA CP-01- Control Panel Standard - Features for False Alarm Reduction.

5. An Alarm Installation Company shall not use an Automatic Voice Dialer for any Alarm System which, when activated, uses a telephone device or

attachment to automatically dial a telephone line leading into the Police Department or the City and then transmit any pre-recorded message or signal.

6. Ensure that Alarm Users of Alarm Systems equipped with a Duress, Robbery, Holdup or Panic Alarm has been provided adequate training as to the proper use of the Alarm System's operation and function.

7. All Alarm Systems shall be supplied with an uninterrupted power supply in such a manner that the failure or interruption of the normal electric utility service will not activate the Alarm System.

8. All audible Alarm Systems shall include a device which will limit the duration of the audible alarm to a period of not more than ten (10) minutes per activation.

C. A Monitoring Company shall:

1. Report alarm signals by using telephone numbers designated by the Alarm Administrator or other approved communication processes.

2. Employ Enhanced Call Verification procedures on all Burglar Alarm Dispatch Requests. The Covina Police Department may refuse to accept an Alarm Dispatch Request from a Monitoring Company that has failed to comply with the procedures required by Enhanced Call Verification. This subsection becomes effective Ninety (90) days after the effective date of this Ordinance.

3. Communicate Alarm Dispatch Requests to the Police Department in a manner and form determined by the Alarm Administrator.

4. Communicate Cancellations to the Police Department in a manner and form determined by the Alarm Administrator.

5. Communicate any available Zone Information (north, south, front, back, door, window etc.) about the location of an alarm signal(s) as part of an Alarm Dispatch Request.

6. Communicate the type of alarm activation (silent or audible, interior or perimeter), if available, on any Alarm Dispatch Request.

7. Notify Communications (Dispatch) of any Alarm Site that it knows, or reasonably should know has guard dog(s), pets or is fitted with a Protective-Reactive Alarm System. During any alarm at such a site, a Responsible Party must be contacted and confirm that he or she will respond to the Alarm Site to disarm the device or take control of the guard dog(s).

8. After an Alarm Dispatch Request, promptly advise the Police Department if the Monitoring Company knows that the Alarm User or a Responsible Party is on the way to the Alarm Site;

9. Each Monitoring Company must maintain, for a period of at least one year after the date of an Alarm Dispatch Request, all records relating to the Alarm Dispatch Request. Records must include the name, address and telephone number of the Alarm User, each Alarm System zone activated, the time of Alarm Dispatch Request and evidence of all attempts to verify. The Alarm Administrator may request copies of such records for any individual Alarm User. If the request is made within 60 days after an Alarm Dispatch Request, the Monitoring Company shall furnish requested records within three (3) business days after receiving the request. If the records are requested between sixty (60) days and (one) 1 year after an Alarm Dispatch Request, the Monitoring Company shall furnish the requested records within thirty (30) days after receiving the request.

10. Each Monitoring Company shall, upon request, immediately provide the Police Department with the names and phone numbers of the Alarm User's emergency contacts at the time of each Alarm Dispatch Request.

D. Conversion of Alarm Users. An Alarm Installation Company or Monitoring Company that converts the servicing of any Alarm System account from another company shall notify the Alarm Administrator of such conversion and shall make a reasonable effort to provide to the Alarm Administrator, within 60 days from the date of conversion, an Alarm User List of the converted accounts, in a format acceptable to the Alarm Administrator, that includes the following:

1. Registration Number
2. Customer name
3. Customer billing address
4. Customer telephone number
5. Alarm Site address
6. Alarm Installation Company License number
7. Monitoring Company License number

E. The customer lists described in subsection (D) above are proprietary and confidential information and will not be released to anyone absent a court order.

8.20.100 Duties and authority of the Alarm Administrator.

A. The Alarm Administrator shall:

1. Designate the manner and form of Alarm Dispatch Requests and the telephone numbers and/or communication process that are to be used for such requests; and

2. Establish a procedure to accept Cancellation of Alarm Dispatch Requests.

B. The Alarm Administrator shall establish a procedure to acquire and record information on Alarm Dispatch Requests.

C. The Alarm Administrator shall establish and implement a procedure to notify the Alarm User of a False Alarm. The notice shall include the following:

1. The date and time of an officer's response to the False Alarm; and

2. Any False Alarm fine incurred.

D. The Alarm Administrator may require that a conference be held with an Alarm User and the Alarm Installation Company or Monitoring Company responsible for repairing or monitoring of the Alarm System to review the circumstances of each False Alarm. The conference may be held in Person or through a conference telephone call, at the Alarm Administrator's discretion. Failure to participate may result in suspension of the Alarm Registration, as indicated by the facts of the case.

E. The Alarm Administrator may establish an Alarm User Awareness Class. The Alarm Administrator may request the assistance of associations, alarm companies and law enforcement agencies in developing and implementing the class. The class shall inform Alarm Users of the Alarm Ordinance; problems created by False Alarms and teach Alarm Users how to avoid creating False Alarms.

F. If a false Robbery, Holdup or Panic Alarm has occurred and the alarm was triggered using a single action, non-recessed device, the Alarm Administrator may consider a waiver or partial waiver of the False Alarm fine, if action is taken by the Alarm User to remove or replace the single action, non-recessed device.

G. The Alarm Administrator shall make a copy of this Ordinance and/or an ordinance summary sheet available to each Alarm User.

H. The Alarm Administrator may use electronic means to communicate with Alarm Users, Alarm Installation Companies and Monitoring Companies when applicable or when requested by the recipient and at the Alarm Administrators discretion.

8.20.110 False Alarm Fines; Fees; Late Charges.

A. The Alarm Administrator may assess the Alarm User a fine for a False Alarm occurring at that Alarm User's Alarm Site. The amount of said fines for the listed categories shall be established by city council and may be subsequently amended by resolution of the city council.

1. Burglar False Alarm Fines:
2. Robbery False Alarm Fines:
3. Residential Panic False Alarm Fines:

B. If a False Alarm fine is not paid within thirty (30) days after the invoice is mailed, a late charge as established by resolution of the city council shall be imposed.

C. Fines for False Alarms from Non-registered Alarm Systems. For person(s) operating a Non-registered Alarm System incurring a False Alarm, fines shall be imposed as established by resolution of the city council.

D. Any Monitoring Company after five (5) business days of receiving notice from the Alarm Administrator that an Alarm User's registration status is that of Non-registered shall not make a Burglar Alarm Dispatch Request from that Alarm User.

E. If Cancellation of a Police response occurs prior to the officer's arrival at the Alarm Site, the response is not considered a False Alarm and no False Alarm fine will be assessed.

F. The Alarm Installation Company shall be assessed a fine in an amount established by resolution of the city council if the officer responding to a False Alarm determines that an on-site employee of the Alarm Installation Company directly caused the False Alarm. Such False Alarms are not included in the total number of False Alarms for the Alarm User, nor is the Alarm User to be held liable for any False Alarm fine resulting from such alarm activation.

G. A fine in an amount established by resolution of the city council shall be imposed against any Monitoring Company that fails to verify Alarm System signals as required in subsection 8.20.090(C)(2) of this Chapter.

H. A fine in an amount established by resolution of the city council shall be imposed against an Alarm Installation Company if the Alarm Administrator determines that an employee of the Alarm Installation Company knowingly made a false statement concerning the inspection of an Alarm Site or the performance of an Alarm System.

I. Notice of the right of appeal under this ordinance will be included with notice of any fine.

J. All registration fees, renewal registration fees or fines assessed under this section are due within thirty (30) days of written notice unless otherwise noted. A late charge in an amount established by resolution of the city council shall be imposed for each individual fee or fine due that is not paid within thirty (30) days.

K. The Alarm Administrator may waive the False Alarm fine for the first chargeable False Alarm during the Alarm User's one year registration period, pending the successful completion of the Online Alarm User Awareness Class available through the Alarm Administrator. In order to have the fine waived, the Alarm User shall have successfully completed the class within thirty (30) days of the fine notice. Alarm Users without online access may request the online school and test be mailed to them. Reasonable additional time to complete the Alarm User Awareness Class shall be allowed for mail delivery.

8.20.120 Notice to Alarm Users of False Alarms and Suspension of a Police Response.

A. The Alarm Administrator shall notify the Alarm User in writing after each False Alarm. The notice shall include the amount of the fine for the False Alarm, the fact that Police response to further alarms will be suspended after the fourth False Alarm during the Alarm User's one-year Alarm Registration period, (excluding Duress, Robbery, Holdup and Panic Alarms), and that the Alarm User has the right to appeal.

B. The Alarm Administrator shall notify the Alarm User in writing thirty (30) days beforehand that a Police Department response to further alarms is to be suspended. The right of appeal under this Ordinance shall be included with the notice. The notice of suspension shall also include the amount of any fees and/or fines due and a description of the reinstatement process.

8.20.130 Alarm Registration Suspension, Fees, Fines, Violation to Make Alarm Dispatch Request for Suspended Alarm Site and Verified Response.

A. The Alarm Administrator shall notify the Police Department of each Alarm User whose Alarm Registration qualifies for suspension under this section. The Alarm Administrator may suspend an Alarm Registration if it is determined that:

1. There is a false statement of a material fact in the registration application; or
2. The Alarm User has had four or more false Burglar Alarms within the one-year registration period, except that the Alarm Administrator may waive a

suspension of a registration upon receipt of documented work orders showing reasonable attempts to repair the Alarm System prior to the notice of suspension.

3. The Alarm User fails or refuses to pay an Alarm Registration or Alarm Registration Renewal fee, False Alarm fine, late charge, or any other fee, fine, or charge assessed under this section.

B. It is a violation of this section for a Person to operate a Burglar Alarm System during the period in which the Alarm Registration is suspended. It is a violation of this Chapter for a Monitoring Company to make an Alarm Dispatch Request to a Burglar Alarm Site after the Monitoring Company's Alarm Response Manager (ARM) has been notified by electronic mail by the Alarm Administrator that the registration for that Alarm Site has been suspended. A grace period of five (5) business days after the ARM's notification shall be granted the Monitoring Company to comply.

C. False Alarm Fines under Suspension status. In addition to the fines set forth in subsection 8.20.110(A), a supplemental fine is hereby imposed upon any Person operating a suspended Burglar Alarm System. The amount of said fines shall be established by resolution of the city council.

D. It shall be the responsibility of the Alarm User to notify their respective Alarm Monitoring Company of their suspension status. An Alarm User shall be held financially accountable for all false alarm fines incurred.

E. Unless there is a separate indication that there is a crime in progress, the Police Department may or may not dispatch an officer to an Alarm Site for which an Alarm Registration is suspended.

F. Upon an additional suspension for excessive false alarms within twelve (12) months after an Alarm User has reinstated their Alarm System, the status of the registration shall be that of Verified Response. Verified Response status for Burglar Alarm requests shall be enforced for twelve (12) months from the official date of notice of suspension. Such affected Alarm User may apply for reinstatement after the expiration of the twelve (12) months.

8.20.140 Appeals of Determinations Regarding Alarm Registrations, Fees and Fines.

A. If the Alarm Administrator assesses a fee or fine, suspends an Alarm Registration or denies the issuance, renewal or reinstatement of an Alarm Registration, the Alarm Administrator shall send written notice of the action and a statement of the

right to appeal to the affected applicant, Alarm User, Alarm Installation Company or Alarm Monitoring Company.

B. The applicant, Alarm User, Alarm Installation Company or Alarm Monitoring Company may appeal any action described in subsection (A) above to the Police Chief (or his or her designee) by setting forth in writing the reasons for the appeal and delivering the appeal to the Police Chief (or designee) within twenty (20) business days after receipt of notice of the action. Failure to deliver the appeal within that time period is a waiver of the right to appeal.

C. The procedure for an appeal to the Police Chief (or designee) is as follows:

1. The applicant, Alarm User, Alarm Installation Company or Monitoring Company may file a written request for appeal by paying an appeal fee and setting forth the reasons for the appeal. The appeal must be entitled "Appeal from Alarm Administrator's Action." The appeal fee shall be in an amount established by resolution of the city council and will be returned to the appealing party if the appeal is successful.

2. The Police Chief (or designee) shall conduct a hearing on the appeal within thirty (30) days after the Police Department's receipt of the request for appeal and appeal fee and shall consider the evidence submitted by the appealing party and the Alarm Administrator. The Police Chief (or designee) must base the decision on the preponderance of evidence presented at the hearing and must render a decision within fifteen (15) days after the date of the hearing. The decision shall affirm or reverse the decision or action taken by the Alarm Administrator.

3. Filing of an appeal stays any action by the Alarm Administrator to suspend an Alarm Registration or require the payment of a fee or fine until the appeal process has been exhausted. This provision applies only to the action of the Alarm Administrator that is the subject of the appeal. This provision does not operate as a bar to enforcement action on violations of this section that occur thereafter.

D. The Alarm Administrator or the Police Chief, or their respective designees, may adjust the count of False Alarms or assessed fees based on:

1. Evidence that a False Alarm was caused by action of a communications services provider (i.e. telephone, cellular, cable company);

2. Evidence that a False Alarm was caused by a power outage of more than four (4) hours or severe weather such as a tornado or earthquake;

3. Evidence that an Alarm Dispatch Request was not a False Alarm;

or

4. The occurrence of multiple alarms within a 24 hour period, which may be considered as one False Alarm if the Alarm User has taken corrective action, unless the False Alarms are directly caused by the Alarm User.

E. The Alarm Administrator may waive all or part of a False Alarm fine due to extenuating circumstances or to encourage corrective action with supervisor approval.

8.20.150 Reinstatement of Suspended Alarm Registrations.

A. On the suspension of an Alarm Registration, a Person whose Alarm Registration has been suspended may obtain reinstatement of the registration by the Alarm Administrator if the Person:

1. Pays a reinstatement fee as established by resolution of the city council;
2. Pays, or otherwise resolves, all outstanding fees, fines, and other charges;
3. Submits a written notice from an Alarm Installation Company stating that the Alarm System has been inspected and repaired (if necessary) by the Alarm Installation Company;
4. The Alarm User successfully completes an Alarm User Awareness Class and test.

B. The Police Department shall reinstate its response to an Alarm Site as soon as is practicable after receiving notice of reinstatement from the Alarm Administrator. The Alarm User and Monitoring Company shall take notice that the Alarm Site has been officially reinstated only after receiving notice from the Alarm Administrator of that fact. It shall be the responsibility of the Alarm User to verify that his, her, or its registration status and future police response has been properly restored.

8.20.160 Suspension of Police Response to Dispatch Requests from Certain Alarm Installation Companies and Monitoring Companies.

A. The Police Chief or Command Staff designee may suspend Police response to an Alarm Dispatch Request from an Alarm Installation Company or Monitoring Company if it is determined that:

1. There is a violation of this chapter by the Alarm Installation Company or Monitoring Company and the condition causing the violation has not been corrected and/or;

2. The Alarm Installation Company or Monitoring Company has failed to pay any fee, fine, or other charge assessed under this section, more than sixty (60) days after the fee, fine, or other charge is due.

B. The Police Department may not respond to any Alarm Dispatch Request where the Alarm Installation Company or Monitoring Company who installed or monitors that alarm has failed to comply with California licensing requirements or failed to maintain a valid copy of the State of California Department of Consumer Affairs Alarm Company Operators License.

C. A suspension of Police response made pursuant to this subsection is subject to the appeal process provided for within this Chapter. In addition, the Alarm Administrator has the ability to accept a workable solution from the affected party prior to an appeal. The affected party has sixty (60) days after the written notice of suspension before Police response is suspended to its alarm customers.

D. The Alarm Administrator shall notify all known Alarm Users subscribing to an Alarm Installation Company or an Alarm Monitoring Company that the Police Department has suspended response to the company's Alarm Dispatch Requests.

E. The City shall assess the Alarm Installation Company or Monitoring Company a reinstatement fee in an amount established by resolution of the city council. In addition, if the Alarm Administrator has incurred costs in notifying Alarm Users by mail of the suspension of their Alarm Installation Company or Monitoring Company, reimbursement to the City of those costs shall be a condition of reinstatement.

8.20.170 Police Department Response

A. Subject to the suspension provisions in section 8.20.130 above and the discretion discussed in section 8.20.190 below, the Police Department at its discretion will respond to all "in progress" Robbery, Panic or Burglar Alarms as promptly as possible, taking into account pending calls for service and any policy establishing priority of dispatched calls following notification of the receipt of the alarm from the Monitoring Company. Police supervisors may, in their discretion, cancel a Police response to any or all alarms based on weather or other factors affecting Police service needs.

B. The Police Chief or his or her designee may re-prioritize assignment of Burglar Alarms and response time at any time during a 24 hour period as may be necessary due to the service needs of the community.

8.20.180 Confidentiality of Alarm Information. All information contained in documents gathered through Alarm Registrations, the submission of customer lists, the alarm appeal process and records relating to Alarm Dispatch Requests must be held in confidence by all employees of the Alarm Administrator, City of Covina and any third-party alarm administrator. Such information is proprietary and is hereby declared confidential and not a public record. Absent special circumstances, such information must not be released to the public or any Person other than a law enforcement agency, third party administrator or the applicable Alarm User, Alarm Installation Company or Alarm Monitoring Company except pursuant to court order. Per California Government Code 6254(f)

8.20.190 Scope of Police duty; Immunities Preserved. The issuance of Alarm Registrations does not create a contract between the Police Department and/or the City of Covina and any Alarm User, Alarm Installation Company or Monitoring Company, nor does it create a duty or obligation, either expressed or implied, on the Police Department to respond to any alarm. Any and all liability and consequential damage resulting from the failure of the Police Department to respond to an Alarm Dispatch Request is hereby disclaimed and full governmental immunity as provided by law is retained. By applying for an Alarm Registration, the Alarm User acknowledges that the Police Department response is influenced by the availability of officers, priority of calls, traffic conditions, weather conditions, emergency conditions, staffing levels, prior response history and administrative actions.”

Section 2: This ordinance shall take effect thirty (30) days after its adoption.

Section 3: The City Council finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Section 4: If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion or the ordinance would be subsequently declared invalid or unconstitutional.

Section 5: The City Clerk shall certify to the adoption of this ordinance. Not later than fifteen (15) days following the passage of this ordinance, the ordinance, or a summary of the ordinance, along with the names of the City Council members voting for and against the ordinance, shall be published in a newspaper of general circulation in the City of Covina.

SIGNED AND APPROVED this _____ day of _____, 2012.

KEVIN STAPLETON, MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney